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ABSTRACT

This hearing focused on the cause of juvenile crime and the need for juvenile justice reform. On the first day, an opening statement by Senator Joseph R. Biden examined the seriousness of the problem. Two panels contributed prepared statements. The first panel included Jim Hutchinson, Mayor, Dover, DE; Alan Ellingsworth, Colonel, Delaware State Police; George Pipin, Stevenson House, Milford, DE; and Greg Sleet, U.S. Attorney. The second panel included among others George Puliam, Unit Director for the Dover Boys and Girls Club, and Anthony Southerland, Director of the Youth Violence Initiative. On the second day, 13 people delivered statements. They included Jane Brady, Delaware Attorney General; Larry Sullivan, Public Defender; Hon. Vincent Poppiti, Chief Judge, Family Court, Delaware; Tom Gordon, Police Chief; New Castle, DE; Guy Sapp, Director of Division of Rehabilitative Services, Wilmington, DE; Orlando J. George, Jr., President, Delaware Technical and Community College; Hon. Rich Davis, Representative in the State House, DE; and Vince Garlick, President, Stormin' Norman Basketball League. An appendix presents additional submissions. (SM)

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S. HRG. 104–764

# YOUTH VIOLENCE

ED 436 592

## HEARINGS

BEFORE THE

## COMMITTEE ON THE JUDICIARY
## UNITED STATES SENATE

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

ON

FOCUSING ON THE CAUSE OF JUVENILE CRIME AND THE NEED FOR JUVENILE JUSTICE REFORM

**DOVER AND WILMINGTON, DE**

JULY 15 AND 17, 1995

**Serial No. J–104–32**

Printed for the use of the Committee on the Judiciary

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# YOUTH VIOLENCE

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SATURDAY, JULY 15, 1995

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
*Dover, DE.*

The committee met, pursuant to notice, at 9:52 a.m., in the 2d Floor Courtroom, Court Road, Dover, DE, Hon. Joseph R. Biden, Jr., presiding.

## OPENING STATEMENT OF HON. JOSEPH R. BIDEN, JR., A U.S. SENATOR FROM THE STATE OF DELAWARE

Senator BIDEN. Good morning, everyone. I apologize for being late. Since I look down there and I see Greg Sleet and others who made it from Wilmington, my lame excuse of beach traffic does not work. But it was beach traffic. We actually started on time but, Greg, I had Bert DiClemente driving me, so what can I say.

I do apologize to all of you, and I want to thank everyone, including the press, for being here on what is maybe the hottest Saturday morning, if not of the year, maybe of record. This is worth the trip just to get the mayor in the box down there. I never thought I would be in a position where I would be sitting up here and the mayor is sitting down in that box. But I do thank you all for coming.

A 16-year-old youth in Dover was arrested for a fatal stabbing of a 17-year-old Westover girl; a 16-year-old boy charged in a shotgun murder of a Wilmington store owner; an eighth-grade Wilmington boy gunned down in a street fight in a public housing project. Police say he was shot five times in the head, chest, and stomach, with cuts to his brain and his spleen. The motive? The gunmen apparently shot this 14-year-old because he thought that the boy was involved in shooting another teenager.

These are all headlines you have all seen. They are all in our local paper. We did not have to go out of State. We did not have to go to the big cities, to the God-awful jungles of the difficult towns of America to find these stories.

Violence in our schools is alarming as well. If you consider the recent events in a 1-week period at a Sussex County high school, a boy was slammed by another boy to the hallway floor, knocking the victim unconscious in a dispute over the whereabouts of a magazine; three boys allegedly punched and kicked another student in the bathroom, leaving the victim with broken facial bones; a girl stabbed a boy with a nail file after they argued in a classroom.

Delaware crime statistics show that last year the number of crimes committed by juveniles jumped 50 percent. These crimes include murder, manslaughter, forcible rape, aggravated assault, robbery, and drug offenses. The murder rate is up nationwide among youth 168 percent while adult murder rates rose at 13 percent. Similarly, the number of children ages 14 to 17 who were victims of homicide jumped 133 percent—133 percent jump—while the homicide rate for those 25 and older declined by 21 percent.

In 1993, more than a quarter—28 percent—of the juvenile homicide victims were killed by another juvenile. This may just be the start of a ticking time bomb because the baby boomerang is about to start—a new phrase you are now going to hear. Those of you who work in this area have heard it already. In the next 10 years there will be 23 percent more young boys—the cadre of folks whom we talk about primarily—between the ages of 15 and 19 years old—the most violent age group in America. There will be a 23 percent increase in the number of those young men.

The change in rates is significant and troubling. But it is important also to put these statistics in a broader context, because all the ones I have just cited to you you have all heard and you know. But a lot of things people do not hear and know.

Juvenile crime still accounts for 17 percent of the crime committed in America. It accounted for 17 percent of the crime committed in America in 1980. It accounts for 17 percent of the crime committed in America in 1994. So what I think we are seeing and what is upsetting our fellow citizens is sometimes misread. It is the randomness and the violent nature of the crime that is committed, not that it is that much more crime committed by that cadre of young people. The reason why the baby boomerang to which I have referenced is so troublesome is that as the percent of young people increases as a percent of the population, the number of those crimes may increase as well.

Second, only a small percent of juveniles commit serious crimes. Studies indicate that about 6 percent of the juveniles are responsible for more than 50 percent of the serious crimes.

I greatly appreciate the participation of all of you here today as we convene the first-ever Delaware, Senate Judiciary Committee hearing on youth violence. We will have another one of these hearings on Monday in Wilmington which I suspect Senator Hatch, my colleague on the committee, now chairman of the committee, will be in attendance.

Indeed, focusing on the cause of juvenile crime and the need for juvenile justice reform has been one of my top priorities for the last 24 years. We went, I hope, a long way—took a major step in the Biden crime bill that the President signed into law that is now the crime law that did several things. One is we toughened penalties and treated a number of juveniles as adults. The number of juveniles able to be treated as adults in the criminal justice system is greater now than it was before. We toughened gang penalties, gun penalties, and so on.

But we also—and I think even more importantly, in that same piece of legislation that is now law and we are only going to now begin to see the effects of it—we put a number of youth violence prevention provisions in this crime bill. A community schools program that is almost half-a-billion dollars, $567 million for community-based organizations and service groups that are here today to begin to be able to use.

A program that would allow and improve academic and social development by training and coordinating teachers, administrators, and social workers. A local crime prevention block grant monies for $377 million for boys clubs and girls clubs, youth employment and skills. Midnight basketball, which is so much maligned is, although a very small part of it, an important part, police partnership for children, safe low income housing, and so on. In addition to the community policing, model intensive grants and a number of other programs.

The point being that what I would like to hear from you all today is what you think is most needed, what you think what we have already done, what impact it is likely to have, and what suggestions you have for me. There is that old joke—it is almost becoming a joke—I am from the Federal Government and I am here to help you. But the truth of the matter is, the Federal Government cannot solve this problem alone; not even primarily. The vast majority of all we are going to talk about today happens at the local level. The vast majority that happens here is within the control of the local government.

Quite frankly, the solution lies probably more in the family than anything that we can do legislatively. But that does mean to me that we should conclude there is nothing we should do. There are things we can do.

I will shorten this statement so I do not take any more time.

One of the things that we have learned about violence and children—there are certain things that we know very well. One is we know that children who grow up without adequate supervision are more likely to engage in criminal acts; 70 percent of the children incarcerated in long term juvenile facilities live in single-parent households. That does not mean single mothers or single fathers cannot raise children. It does not speak to that, as some of my social conservative friends like to make it say. It simply means, one person having to work, it is harder to take care of a child than two people in a household. That is what it means. But it is a fact.

We also know that drugs accelerate the juvenile crime rate, particularly cocaine. We also know that guns exacerbate the problem. In Delaware, the number of juveniles charged with weapons possession has doubled in the last 7 years. We also know that violent behavior is learned. Children who witness abuse in the home or suffer abuse themselves are at greater risk of becoming violent later in life. That is why we spent so much time and effort on the violence against women legislation.

But today there is another thing that is a focus that maybe if you have a chance you could comment on. That is something that I have been talking about for some time and I think has some promise. But you would know better than I would. That is, the so-called V-chip. The ability of the technology, with the cooperation of the industry, to code television programs based upon content and have a chip, at the choice of the parent, inserted into the television that they buy that when a program with that content comes on it would automatically be blacked out.

I do not view that as censorship. I view that as parental choice. I view that as an opportunity for parents to be able to impact on it. You all know as well as I do, even in two-parent homes, two loving, caring parents in a nuclear family, today the ability to monitor what your child watches with 98 or 99 television stations able to be watched, with usually more than one television in the home, unless someone is tethered to the child the entirety of the time they are awake it is a very difficult thing to deal with. So it would be interesting for me to hear from you all as to what you think the value of such an effort would be.

Last, we also know that children who do poorly in school, who drop out, are among those most likely to become criminals.

So as I said, there is much we can do. I think in my experience in this area, I view this as us really, quite frankly, just beginning. I know many of you have worked in the field for years and years. I do not mean to presume that we are just beginning with this hearing. What I mean is, we are just beginning to deal with the issue of youth violence in a way that requires the focus that it has not gotten nationally and has not gotten in terms of State, local, and Federal cooperation.

So again, I am here to listen to what you have to say. I welcome our first panel. We do have a distinguished panel. Our first panel is the mayor of Dover, Jim Hutchison. Hutch was a former Dover police chief with 25 years police experience. I will probably ruin his reputation, but when we were drafting this crime legislation he was one of the people we went to. He was a cop back in those days. One of the things that he and others talked to me about was the need to put prevention into this legislation.

Col. Alan Ellingsworth, Delaware State Police Superintendent. The colonel has been absolutely incredible in terms of his dedication to seeing to it that this crime law to the extent that it has any potential positive impact on Delaware utilized. I thank him for being here.

And George Pippin, administrator of the Stevenson House in Milford. George is one of the most respected juvenile authorities in Delaware. He is known for running a tight ship at the Stevenson House. Before Guy Sapp was named director of rehabilitative service, George served as acting director. I understand, George, you did not want that job permanently. Admissions at Stevenson House are up 34 percent, and Stevenson House is not for the most violent juvenile offenders. It is a pre-trial and detention facility for offenders requiring minimum and medium security.

And a man who I am very proud of, Greg Sleet, our U.S. attorney who has been focusing on the Youth Handgun Safety Act as passed in the Biden crime law. The U.S. Justice Department required each U.S. attorney's office to submit a plan, and I might note somewhat parochially that Delaware's was recognized as one of the best and one of the first. He has Assistant U.S. Attorney Tom McDonough with him who helped write the plan.

I have just been handed a note. Two girls from the Dover Boys and Girls Club have to leave early to go to work. I hope it is not outside. Talisha Hawkins and Tiffany Adams. They are sitting over here to the right. I want to thank both you ladies for being here.

Without any further comment by me, why don't we begin with you, Mr. Mayor, in the order that you would like to go.

## PANEL CONSISTING OF JIM HUTCHISON, MAYOR, DOVER, DE; ALAN ELLINGSWORTH, COLONEL, DELAWARE STATE POLICE SUPERINTENDENT; GEORGE PIPPIN, ADMINISTRATOR, STEVENSON HOUSE, MILFORD, DE; AND GREG SLEET, U.S. ATTORNEY

### STATEMENT OF JIM HUTCHISON

Mayor HUTCHISON. Senator Biden, good morning and welcome to the capital city of the State of Delaware. Certainly thank you for taking time out of your schedule and bringing your staff to Dover to talk about something that is truly very dear to all of us. We are here to discuss youth and violence.

During the past many years much has been learned in dealing with youth and violence. I think the time has come and it is loud and very, very clear that today in order to overcome the social ills of the problems facing this great Nation dealing with youth, we have to deal with education and early intervention.

Unfortunately for us today, we come in to play only in fact after the situation has been—when an individual has been arrested and brought into the criminal justice system. I think it is loud and very, very clear at this point that we need to be a part of one's life from the time that they are born all the way through in early learning to help to develop that individual to their abilities.

I also think that we have to put tremendous emphasis on working with the parent as well. This country was built based upon family and a relationship with God. Today we have neither. So I think that it is time to turn the wheels back, look at the issues facing this great country. I firmly believe that we can overcome the social ills through early intervention and education. I think what we have to do is come together in a partnership realizing that and helping to develop individuals and giving them the opportunity to be the best that they can be.

I firmly believe in looking at our youth today that we owe just as much responsibility in helping those individuals who do not have the ability to go to college as those that do. I think that if we play a major role in helping and working with our youth from the time that they are born—it is interesting to note that a personality is developed from the time zero to 3. So that by the time that a person becomes in the fourth, fifth, and sixth grade, their development is already well on its way. Unfortunately, we may already be too late.

So I firmly believe that we can overcome the social ills with all the resources and the abilities that we have as far as education. I think that what we need to do is turn the wheels back and become a part of one's life from the very time, and working with the parents and working with the youth from the very beginning.

Thank you very much.

I also have Chief Smith here from the Dover City Police Department and he has some numbers to indicate what is taking place, and that I certainly will allow him to submit to you later if you want or he can make comments. But I think that basically that is our format for this morning.

Senator BIDEN. Chief, since you are here, why don't you make the comments now.

Mr. SMITH. OK, Senator. The juvenile arrest data for the years 1994 back to 1990 for part I crime in Delaware, which is homicide, rape, robbery, assault, burglary, larcenies, and arson, surprisingly in the city limits had an 8 percent decrease. Some of the categories though, the subcategories, had an increase. On the part II crimes, which is the drug offenses, the weapon offenses, other assaults, kidnappings, disorderly conducts, forgeries, frauds, criminal mischief, sex offenses except rape, which is a part I crime, and offenses against family had a 16 percent increase.

Senator BIDEN. How do you account for that, chief? As a professional and as a citizen out there in the street, how do you account for the discrepancy between part I crimes going down among juveniles and the part II crimes going up, or is there any? What does your gut, your instinct tell you?

Mr. SMITH. After we had the records unit run the program to determine this some of it, we might have had a homicide increase from one or two people a year which would have made a decrease or an increase. So a lot of the figures can be changed just by one or two arrests.

Senator BIDEN. I see. Thank you.

Colonel.

## STATEMENT OF ALAN ELLINGSWORTH

Mr. ELLINGSWORTH. Good morning, Senator. I also want to thank you for taking time out of your busy schedule and coming here to Dover. And more importantly, to thank you for your last 7 years of fighting very hard to get cops here in Delaware the tools to do the job that we need to get things done.

Senator BIDEN. Thank you.

Mr. ELLINGSWORTH. As I looked into the crowd this morning I can see a number of young people. I also see our future. However, the future of many of our youth has become obscured by a foreboding cloud of violence. The youth of this State and our Nation are living in a society in which violent crime has reached record levels. We have been asked today to come in and give the state of the State of what is happening in youth crime in Delaware, and specifically what the Delaware State Police is doing related to that subject, and that is what we are going to do.

We have brought a small display of weapons that have been taken off of our Delaware youth recently. I have also brought youth aid officers, two leaders of Sussex and King County here today if you have specific questions about youth crime.

On a national level it has been reported that the fastest growing murder circumstance is juvenile gang killings with such killings increased by 371 percent from 1980 to 1992. For black males and females age 15 to 24, homicide was the leading cause of death. For whites age 15 to 24, homicide was the third leading cause of death, exceeded only by accidents and suicide.

Guns have become the weapons of choice. The percentage of victims in the 15 to 19 age group killed by guns increased from 66 percent in 1975 to 85 percent in 1992; 67.3 percent of teen suicides were accomplished with the use of firearms. National statistics such as these paint a grim picture of the violent environment which our children grow up in.

The State of Delaware is no exception when it comes to increasing crime rates among our juveniles. Juvenile arrests for part I crimes, which were explained by Chief Smith just a couple seconds ago, have more than doubled in the last 5 years statewide. So we have not been blessed with the same rates that the city of Dover has had.

Such staggering statistics are compiled as a result of incidents that we read about and hear about in our communities throughout this State. On March 10, 1995, an expelled student committed several armed robberies at, and in close proximity to, Wilmington High School. The juvenile was later arrested and charged with five counts of robbery. On May 15, 1995, four juveniles were arrested for several counts of reckless endangering and criminal mischief after throwing rocks at moving vehicles on Route 202 off the B&O Railroad bridge.

On October 12, 1994, a student was arrested for stabbing another student in a New Castle County high school. In Kent County, DE, during November 1994, a 17-year-old male committed an armed robbery with a shotgun and then went to a known drug trafficking area and purchased $200 worth of crack cocaine. In another incident, three juveniles aged 13, 16, and 16 were arrested for robbing a pizza delivery man at gun point. In 1994, youth aid detectives investigated and arrested a 16-year-old male for sexually assaulting a 4-year-old female.

In June of this year, an 18-year-old lost his life at a party in Pickering Beach after he was punched in the chest by a fellow party-goer. The deceased in this case had been challenging people at the party to hit him in the chest and that failure to do so would result in him striking them as hard as he could. In Sussex County, on June 11, 1995, a 17-year-old Lewes youth sustained serious physical injury to both of his hands and torso when he ignited a pipe bomb that he had constructed.

As Delawareans we are blessed with a beautiful State and a land full of opportunities. A recent publication of Money magazine rated Delaware second in the Nation as one of the most desirable places to live. However, word has traveled to the criminal element outside of Delaware as evidenced by a recent robbery/murder where a gun store owner was brutally murdered by three youths aged 16 to 19 from Brooklyn, NY.

In the past week alone, Delawareans were shocked to hear of an incident in Wilmington in which three 14-year-old boys were arrested in a severe beating of an apparently homeless man in the downtown Wilmington area.

Currently, the Delaware State Police has a total of 11 police officers assigned to the youth aid division throughout the State. In fact, we have been in the youth aid business since the late 1950's and there are two departments in Delaware with youth aid divisions: the city of Dover Police Department and the Delaware State Police. These officers are charged with the responsibility of investigating crimes committed by juveniles, as well as juvenile victim crimes. These youth officers also have the added responsibility of investigating incidents without our schools that are reported in accordance with House bill No. 85.

The continuing vision of the Delaware State Police to be involved with our youth will be enhanced by the addition of police officers through the COPS MORE Program. It is our hope and the desire, and the Senator is fully aware—he is the driver behind the COPS MORE Program—that we have an application in to acquire three more troopers to go one to each county to be student resource officers.

It was reported during the 1993–94 school year that there were 721 assaults on students, 149 incidents of assaults committed against school employees, and 352 incidents where students were found in possession of some type of weapon or dangerous instrument. Numerous other criminal offenses were reported in our schools as well—22 percent of all cases warranted an arrest by law enforcement officials.

Traditional law enforcement practices of arrest and incarceration of violent juvenile offenders has evolved into a strategy aimed at early and immediate intervention in an effort to control and reduce juvenile violence and drug use.

The percentages that I mentioned earlier represent a small group of individuals who have a negative impact on society. There is good news. Let us take a moment to accent the positive things. Members of the division of State police are continually involved with youth who maintain a positive outlook on life and strive to become good, if not exceptional, citizens of the State.

Currently, the Delaware State Police delivers the nationally recognized DARE program to 41 schools and will educate approximately 5,500 fourth, fifth, and sixth grade students in substance abuse next semester alone. Six uniformed troopers reach out to these children and provide them with the necessary skills to resist peer pressure to experiment with drugs and alcohol. This program has also served to forge new friendships and gain the trust of many of Delaware's youth.

In September of 1995, the division of State police will pilot the gang reduction education awareness training program in five New Castle County schools. Thanks to the Senator Biden's crime bill and now crime law, a uniformed State trooper will teach approximately 1,500 seventh grade children the necessary skills to say no to gangs and acts of random violence. GREAT students discover for themselves the ramifications of gang and youth violence through our structured exercises and interactive approaches to learning. Students learn how to resist peer pressure and resolve conflicts without violence.

In its 47th year of operation, the Delaware State Police continues to interact with the youth of our State at Camp Barnes. Deserving children ages 10 through 14 are provided with activities that challenge the mind and body. In 1994, 2,000 attended the camp. The DARE summer challenge and Project IMPACT, improving motivation, performance, attitude, and coping techniques are also programs conducted at Camp Barnes.

In its 24th year, Trooper Youth Week funded and supported by the American Legion provides high school students with an opportunity to experience the Delaware State Police Academy and learn about the many career opportunities in law enforcement. The program also serves to develop a positive attitude toward police officers and the role they must fulfill.

In addition to these programs the division's mobil rural community policing unit has been instrumental in providing youth in rural communities with an opportunity to learn about positive peer leadership and violence reduction through various programs. This unit has also assisted some youths in obtaining summer employment at various businesses.

The commitment to improve the quality of life for our children does not stop here. Members of the division and other departments devote their spare time as volunteers in many programs throughout the State. We have had a basketball program in New Castle County since 1968. We have had minority mentoring programs, specifically at the H.B. DuPont Junior High School. Explorer's Post. We have interesting programs where we have officers stop in at various schools and eat lunch with the children and interact with the children. We have cops throughout the State that are involved in numerous sports leagues, and we are heavily involved in the PTA's.

The Delaware State Police is committed to the reduction of youth violence in our schools and communities. We are encouraged by Governor Carper's initiative to offer alternative schools. Non-disruptive students will be afforded an opportunity to obtain a quality education that they so justly deserve.

I believe that the initiatives and programs that I have mentioned are a positive step in a direction that will lead to the reduction of youth violence. A collaborative effort, as the mayor has talked about, on the part of law enforcement, the juvenile justice system, school administrators, legislatures, community, and health and social service agencies, will lead to further initiatives to reduce youth violence and provide a clearer future for the youth of our kids.

Senator BIDEN. Thank you very much, colonel. I am going to ask each of the panelists to speak and then I am going to ask questions to everyone, if I could.

Mr. Pippin, thank you again.

## STATEMENT OF GEORGE PIPPIN

Mr. PIPPIN. Good morning, Senator. I am pleased to see you here today.

I thought long and I thought hard, what was I going to talk about today, because juvenile crime in this State, and certainly nationally, is certainly just rampant. We are talking about the violent offender, but there is another group of children out there that is committing property crimes and lesser felony crimes or misdemeanors that are just as important as those kids that we want to try to straighten out their lives that commit violent offense.

Senator BIDEN. That is why I asked about the distinction.

Mr. PIPPIN. One of the greatest things I think that has happened in Delaware in the past 10 or 15 years was the legislature in the State decided to legislate a department for children, youth, and their families. For many years we were kind of like—excuse the expression—kind of like the bastard child of the Department of Corrections. We never got the resources. We were always like last in line to get things to help the children in our State.

Many years ago we knew that children were eventually going to be adult offenders. One of the hopes of developing that and putting that department together was try to do some intervention and prevention in the community, and trying to help families and the children to prevent those kind of things: keep young people from becoming adult offenders.

Certainly with the interest of community safety we try to bring some cohesiveness to dysfunctional families, trying to educate parents to become better parents, trying to get our communities more involved in the problem, because the problem is just not mine, it is just not yours, Senator. Everybody who lives in this State, it is part of their problem, because they have to pay for the care, they have to pay for law enforcement, they have to pay for our department to try to come up with initiatives and programs for these children.

I think we are basically successful. However, you are only as successful as the resources that you have the opportunity to bring into your shop to come up with different initiatives and programs.

One of our newer initiatives is our alternatives program within our department. Delaware does not have the resources, the facilities, or the expertise to deal with kids who are violent offenders, such as assault, the high risk children who are sexual offenders, children who are committing heinous crimes against our older population in the State. So we provide some alternatives for those kids. We place them around the country in different programs with private agencies that can hopefully provide the habilitation or the rehabilitation for those children.

If you will notice, I said habilitation, also. One of the misconceptions, I think, in our business is we use rehabilitation too loosely. We must habilitate kids to learn things, to recondition them to things they have never learned before. Family disparity in this country is to the point where kids are subjected to a lot of negativeness. They have not been conditioned like perhaps you or I were, or some of the other folks were in this room, to understand there are values. There is respect for other people, people will respect you. You cannot go out here and act like a JAW.

I do not know if you have ever heard that expression. I call kids JAWS because they are juveniles acting weird and stupid. We have a lot of those.

But fortunately, our department is really trying to take a very positive step forward. We get the children after they have failed and other people have failed with the family and the children. We get the backlash, you might say, of the child. Once he has committed a crime, he has been adjudicated, now we have to do something with that child.

I think that our department probably can take a step forward in providing some resources to the community, probably providing some resources to law enforcement, or to the juvenile justice system, to prevent those kids. This is the honest truth, I would rather be without a job than have to put up with the number of kids I have to see every day come through my facility. It is tragic.

Our population has doubled in my institution over the last 18 months. We have added 10 additional beds. Alternatives, about a year ago we had around 100 kids in the alternative program. As of, I believe it was Friday, we had 210 kids in alternatives.

Funding certainly is not always adequate.

Senator BIDEN. Is there any discernible profile of the kids that you have? By profile I mean any commonality among the children, other than that they have been in a scrape with the law? Are they of a certain age? I mean, I am not asking for a scientific profile, but you have been in this business for a long time. One of the things that people look to for us, so-called experts, or I guess they do not consider those of us who hold public office experts in anything, but I have, with a significant portion of my life, dealt with this issue.

One of the things they look for is to tell them if there is anything that we discern to be a common thread that runs among these children, or are there no common threads?

Mr. PIPPIN. I think there may be some common identities with some of the kids because most of them do come from dysfunctional families, families that—they usually come from a one family parent. Again, I want to emphasize, too, there are a lot of good families that have one parent.

However, it is very difficult in this day and age for one parent who has four or five other siblings in the family. Kids have become latchkey children. Children go home and there is no supervision. Normally, those children will attach themselves to someone of common interest. Usually, unfortunately, it is the criminal element because it is so much easier to do things wrong than it is to do things good.

We are seeing that the age of those children who are committing violent offenses is beginning to decline. We are getting 12-, 13-, 14-year-olds now that are out here doing very, very serious things. Drugs are certainly a catalyst to these kids doing some bad stuff. A lot of these kids are out here, not only are they users, but they are sellers. In order to support that particular behavior they are out here buying guns. There is turf issues with the drug sellers.

I have talked to many kids, I say why do you carry a gun? And they say well, it is for my protection, but I do not want this other dude on my turf. Many years ago, if you had a dispute you just kind of had the fisticuffs out in the parking lot and that was the end of it. Not anymore. They want to shoot you, they want to kill you, they want to eliminate you.

We are seeing an increase in female offenders beginning to commit more serious crimes, burglaries, robberies, assaults. Assaults against parents are beginning to go on an incline. I see violence in our schools, and it is beginning to—I mean, it is like open season on teachers and other students.

I feel very fortunate that the Delaware Public School system is in as good a shape as it is. Violence in our schools in Delaware is not as rampant as it is in California, or Chicago, or New York, or Philadelphia, or some of the other cities where it is a den of iniquity. The kids go to school because that is where the gangs meet. That is where the gangs do all their criminal transactions. I think that our public school system in Delaware is doing a great job, trying to keep control over kids who are causing you to have problems.

I would love to see our community get more involved in the controlling of crime that goes on their community. We need more people, along with the support of law enforcement, and even perhaps with our department, to come up with more citizen groups. We need better parenting skills for a lot of social and economic situations with some of the parents.

And we could sit here and talk for hours and talk about some causes. I do have some drivers. I always call things drivers, things that drive things to go wrong. Certainly drugs, right now, are available. There is no doubt about that. I mean, you can walk around the street corner and you can solicit someone to sell you some drugs. The thing is, it is more select now. You have other drugs, other than just cocaine or heroin. You have got some strange stuff called ice, and there is some other stuff coming around now. These things are extremely dangerous.

The dysfunctional family again, is a primary cause. Gangs, I do not thing the gang problem is as rampant in Delaware as it is in some other States, but it is beginning to rear its head. I think we need to cut that head off before that thing gets any bigger.

Guns, I have more of a problem purchasing a gun than a 15 year old standing on a street corner. Guns are still available to the criminal. I wish I knew how that happens or how we can prevent it. I really do not know how to do that.

Certainly, the decline in family cohesiveness is in bad shape. There is not that cohesiveness from generations within the family, the grandparents, great-grandparents, aunts, uncles, mother, and so forth.

The poor quality of life in some of our communities. Maybe we need to take a strong look at the quality of life in our communities and not only provide resources, but get the people who live in those communities more involved in straightening out their communities. Give them the resources they need for better housing, for renovations of the housing. Provide them some resources to have a community center. I have had a lot of kids who say I hang on the street corner because I have no place to go.

I thank God for the Boys and Girls Club in Delaware because that has really taken root in Delaware and it is beginning to expand and I think it is really going to help keep our kids off the street.

Certainly school is becoming dens of violence. Our teachers are scared. There are students that are scared. I think we need to give back some of the control, the authority, discipline back to the teachers. I remember when I went to school, I had great respect for teachers, because I knew if I got out of line I got my butt kicked. And then they took me home and I had to face my father.

Today, I do not think that exists. Parents have grown accustomed to—

Senator BIDEN. Are you sure you were not taught by nuns?

Mr. PIPPIN. I beg your pardon? [Laughter.]

Senator BIDEN. I said are you sure you were not taught by nuns? I was.

Mr. PIPPIN. Juvenile violence has—the juveniles in our country, they are in my heart. I want to see children do good. Anything I can do, or my department can do, to try to help these people, these young people, because when I get older I want to feel confident that society can continue on without a lot of fears and a lot of anxiety.

I have just some things which I call we must advocate for, and I will be quiet. I think we need to begin taking a look at very tough structured programs that emphasize strong discipline in the home and the schools, and certainly alternatives, such as boot camps.

We need to be tougher on the first time offender. I think we are too lenient on the first time offender. Most of these kids know they can get a slap on the back of the wrist, go back home, and may be put on unsupervised probation or probation. I am a firm believer, if you get my attention the first time I go before that judge, I think it is going to have a stronger impact.

We need a specialized program for the violent and serious and emotionally disturbed offender. We are seeing more emotionally disturbed children coming into our facilities. We need more resources to the family and the child in their early age. I think that the first 60 months of a child's life is extremely important. That is the time in their life that they are conditioned either to positive or negative ideas.

We need to get the community certainly more involved. Crime is not isolated or it is not in a corner of any one particular person's world. It is in everybody's community. It is not in the black community, the hispanic community, the white community, it is everywhere.

Certainly, we need to think about a coalition between law enforcement, our schools, our department, and other departments to try to come up with some reasonable and rational initiatives that is going to better juvenile violence in this State and other crimes.

Senator BIDEN. Thank you very much, Mr. Pippin.

Mr. PIPPIN. You are welcome.

Senator BIDEN. Mr. Sleet.

## STATEMENT OF GREG SLEET

Mr. SLEET. Good morning, Senator. I must tell you what while I might have wished to go down to the beach on this hot summer day, it is indeed my pleasure to appear before you to testify concerning the scope of the problem of youth violence in Delaware and what Federal tools are available to help address this issue.

Senator, as sponsor and author, you well know that in September 1994, the President signed the Violent Crime Control and Law Enforcement Act, otherwise known as the Biden crime bill, which contains the Youth Handgun Safety Act. The Youth Handgun Safety Act amends title 18 of the United States Code, section 922, by criminalizing the sale, delivery, or transfer of handguns and handgun ammunition to juveniles, and by prohibiting the possession by juveniles of handguns and handgun ammunition. The maximum penalty for violating the Youth Handgun Safety Act is 1 year imprisonment. As you well know, the maximum is 10 years imprisonment if an adult offender knows or has reasonable cause to know that a juvenile transferee intended to use the handgun or ammunition in a crime of violence. The Youth Handgun Safety Act mandates that a first offender juvenile must receive a sentence of probation, and you might have questions for me about that later on, and the opinions of some of my colleagues about that particular provision.

Prior to the formulation of a plan to enforce the Youth Handgun Safety Act, the U.S. attorneys office for the district of Delaware engaged in a thorough review of youth violence in this district, as well as existing mechanisms, for example State statutes and prosecution, prevention and education efforts, and the juvenile justice system, which attempt to address this problem. I should add that our observations are not offered as criticisms, but are the result of discussions with individuals involved in all phases of juvenile justice in Delaware.

I need to add further that the elements of the plan we have formulated are essentially prosecutive guidelines. As such, we are constrained by U.S. Department of Justice policy and, frankly, good commonsense, from publication of these guidelines. So I will be unable to elaborate on the particulars of the plan.

I can say the district of Delaware's plan to enforce the Youth Handgun Safety Act seeks, in conjunction with our district's violent crimes operations plan, to supplement the ongoing efforts of State and local authorities. By way of example, Delaware's Violent Crimes Operations Plan, which was implemented in response to President Clinton and Attorney General Reno's violent crimes initiative first announced in March 1994, helps to coordinate the efforts of Federal, State, and local prosecutors and investigative agencies in order to maximize our abilities here in Delaware to fight violent crime through the use of powerful Federal law enforcement tools such as pretrial detention, wiretapping, grand jury investigations and mandatory minimum statutes.

To paraphrase the testimony of Assistant Attorney General Jo Ann Harris before the Subcommittee on Crime of the House Judiciary Committee, the central idea of this initiative is for our office to work together with the Federal investigative agencies and with the State attorney general's office here in Delaware and with State and local law enforcement agencies to identify the district's most significant violent crime problems that Federal tools can effectively address and devise a unified strategy for dealing with them.

This does not always mean Federal prosecutions but it makes Federal resources and capabilities available in the most effective way to meet the needs of the citizens of Delaware. I will tell you that Attorney General Brady and I have already put our staffs to work on coordinating our efforts in the area of youth violence, particularly as it relates to youths in possession of handguns. So with the previously mentioned caveat, permit me to share with you some of our impressions, at the U.S. attorneys office, regarding youth violence in Delaware.

Delaware, it has been said already, is not immune to the increasing problems of youth violence, including possession of handguns, that plague communities across this Nation. A review of the records from the Delaware Statistical Analysis Center and law enforcement agencies may be instructive. That review reveals that those juveniles who possess handguns come from all racial groups and economic classes within our community. Since 1991 there has been an approximate increase of 2,000 firearms sold each year in Delaware. The number of juveniles charged with weapons possession offenses doubled.

Senator BIDEN. When you say sold, do you mean sold legally or sold illegally?

Mr. SLEET. Sold legally.

The number of juveniles charged with weapons possession offenses doubled between 1986 and 1993 to 56 to 111. The statistical analysis center estimates that in Delaware firearms are used in 32.6 percent of all robberies, 18.8 percent of all aggravated assaults, and 53.8 percent of all homicides. In 1993, the most recent year for which we have statistics, 121 juveniles were charged with robbery, 329 juveniles were charged with aggravated assault, and 2 juveniles were charged with homicide.

Though the percentage of juveniles who use firearms during the commission of the above crimes may be slightly lower than the percentage of adults, since they cannot legally purchase guns, the above numbers suggest that juveniles use guns in approximately 40 robberies, 62 aggravated assaults, and 1 homicide.

With regard to the incidence of handgun possession by juveniles in Delaware schools, a relatively new State law requires the reporting of such offenses, as you well know. According to the Delaware State Police, there were 17 instances in the 1993–94 school year of juveniles possessing firearms. Our review of Delaware State Police records shows that most offenders were between the ages of 15 and 17.

We then took a look of existing enforcement of State firearms statutes. Though precise statistics are not presently available, there appears to be an increase in the number of Delaware Family Court cases which involve weapon possession by juveniles. In 1993, there were approximately 100 such cases which involved possession of a gun by a juvenile. The average age of these juveniles was 15 or 16 years.

We then took a look at juvenile detention. Between March and September 1994, there were 502 juveniles sentenced to confinement at the New Castle County Detention Center. Of this group, there were a total of 87 weapons offenses with more than one such offense often being charged against the juvenile. The offense of possession of a deadly weapon during the commission of a felony constituted 54 of the 87 weapons charges.

Delaware law mandates that any person over the age of 16 charged with such an offense, which carries a 2-year mandatory minimum term of imprisonment shall be prosecuted as an adult in superior court. There are no statistics, however, relating to the average length of confinement in the juvenile detention facilities for those committing weapons offenses. However, we understand that the average length of stay is estimated at about 6 to 8 months when all juvenile offenses are considered.

We looked at the problem of adults transferring firearms to juveniles as it relates to our State statues. A Delaware misdemeanor, unlawfully dealing with a dangerous weapon, which is codified at 11 Delaware Code Section 1445, prohibits the transfer from a firearm from an adult to a juvenile younger than 16 years. It appears that this violation, however, is rarely charged. The rationale appears to be that when police officers investigate an offense that involves a gun, the section 1445 misdemeanor is either not considered or is not considered a necessary charge when there are other available felony charges.

We then took a brief look at the education and prevention efforts ongoing and some of them have been alluded to already. There are a number of public and private agencies in Delaware engaged in educational efforts designed to prevent youth violence, as you know. These organizations include the United Way, the YMCA which have jointly developed a youth violence prevention institute. The YMCA also has a resource center which has educated school administrators, teachers, and more than 1,000 students in conflict resolution and peer mediation. The resource center also conducts a 10 week prevention and education program for juveniles with alcohol and drug problems, and accepts referrals to this program from the Delaware Family Court.

In addition, as we know, both Federal and State and local law enforcement agencies in Delaware have officers who participate on an active basis in a number of programs with juveniles. In addition to that, recently the U.S. attorneys office, in concert with the Delaware Council of Police Chiefs sponsored a statewide youth assembly in May 1995 where we brought a nationally known speaker in to talk to over 3,500 children at the Bob Carpenter Center on this subject.

Senator BIDEN. A good program, by the way.

Mr. SLEET. I am told that it was well received.

We, at the U.S. attorneys office, are also planning to insert two assistant U.S. attorneys for 4-week sessions at the Shue Middle School where they will participate in a developed curriculum where they will instruct children, along with a teacher, in areas of constitutional law and other such areas. The effort there is to try to expose children to positive role models, such as Assistant U.S. Attorney Tom McDonough, with me here today.

Some of our impressions of the problems with the juvenile justice system are as follows—and I should add that they are not likely unique to Delaware. The problem with the mixed population in the juvenile detention facilities is one. There are a number of persons at the juvenile detention facility who committed crimes which caused them to be transferred for trial to the adult superior court. After sentencing, those juveniles convicted of adult offenses are then confined in the juvenile detention facility.

The resulting miss of less serious offenders with more serious, hardened recidivists, likely makes it considerably more difficult to rehabilitate the former group. Negative peer influence can lead to criminality, is one of the points you have on your board.

The affiliation of juveniles going back to their own neighborhoods is another problem and affiliating with the same old crowd. It has been estimated that approximately 75 percent of the juveniles in the juvenile detention facility are from the city of Wilmington. Consequently, when a juvenile is committed, he or she typically finds some of his or her criminal associates from the neighborhood at the detention facility and they bond, just as they did on the outside. These cohesive groups have led to security problems as well as difficulty in rehabilitative efforts.

In order to thwart the development of gangs within the detention facilities, certain juveniles have been transferred to detention facilities in Sussex County. A related problem is that a substantial number of juveniles committed to the detention facility regard such commission as a badge of honor. Not surprisingly, the offender's perception that he or she has completed this rite of passage makes it difficult to use the threat of confinement as a deterrent.

The primary deficiency, at least in our opinion, in the existing juvenile justice system appears to be insufficient aftercare planning.

Senator BIDEN. Absolutely.

Mr. SLEET. At present, a juvenile completes his or her stay at the detention facility and is then released, without sufficient planning to lessen the risk of recidivism, to the environment where he or she committed the offenses which led to their incarceration in the first place. Furthermore, even if the juvenile is assigned to a probation officer, the overwhelming case loads of those officers make it very difficult for even the most conscientious officer to closely supervise the juvenile offender.

Though State officials are striving to remedy this problem, they are presently unable to accurately measure the effectiveness of detention, probation, and other forms of intervention as they relate to rates of recidivism. With regard to existing prevention and education efforts of public and private agencies, it appears that the absence of the Delaware-specific clearinghouse, a Delaware-specific clearinghouse may render it more difficult to make quick appropriate referrals, and also may lead to duplication of effort.

Senator, again I regret that I cannot say more regarding the specifics of our enforcement initiative. I will say, however, that the efforts of the U.S. attorney's office for the District of Delaware will focus on utilization of all of the various law enforcement and prosecutive resources available to us in Delaware. We plan to take advantage of the good cooperation that exists among the Federal, State, and local law enforcement and prosecutive components in this district to bring the problem of youth violence, and specifically the problem of violence associated with use and possession of handguns under control.

Before I conclude, I would like to say just a brief word about victims, and if I did not, Susan Baldwin would have my head. Federal law provides the victims of adult defendants various rights. The Victim and Witness Protection Act of 1982, the Crime Control Act of 1990, and the Violent Crime Control and Law Enforcement Act of 1994 afford many rights to victims. Yet victims of juvenile crime are, for the most part, excluded.

Many statutory rights, and this may be the explanation, of victims relate specifically to criminal matters while juvenile proceedings are considered civil adjudications of status and are closed to the public.

Victim rights relating to notification, case status information, consultation with the prosecutor, providing impact statements and allocution at sentencing are at best severely restricted in Federal juvenile proceedings. Victims of juvenile crimes suffer from physical, financial, and psychological effects which may be compounded by confusion and frustration with a system that limits information, input, and participation.

As we struggle with the complex issues relating to juvenile crimes and youth violence, we must not forget the needs of victims. Thank you very much.

Senator BIDEN. Thank you very much.

I would like to approach this, and I will not keep you a long time, but it is a rare opportunity that we have. This is an official Senate Judiciary Committee hearing in a sense that an official record is going to be made here. And our State has the luxury that many do not of being able to get all the major actors and players in the entire State together at one time or over a series of hearings.

I will say something somewhat presumptuous, the reason why I think we ultimately were able to pass that crime law is this was the incubator from which the law was written. I was able to go back to Washington repeatedly and point out how we were working things here and the input from here. You probably all think I am just saying that to be nice to Delawareans, but that literally is how we did it.

So I am going to take a little bit of time, since I have four of you from, in effect, four different disciplines, four different areas of responsibility, four different perspectives, who have official capacities in dealing with this.

Let me try to very briefly summarize what I think I heard you all say, a piece of what you all said. One is, every one of you said in one form or another, early intervention is very important. The mayor got it right, in my view, in that he pointed out what is becoming painfully aware to everyone. That is that the earliest intervention, between the ages of 1 and 8, may be the area where none of us have any immediate responsibility or ability to have input, but may in turn be the most important areas.

We have tried indirectly, I have tried indirectly, to deal with that in the child abuse legislation that I have written and is now law, and in the violence against women legislation. Everyone thinks I am focused on those two things only because I wanted to focus on the victims, and I did, and reduce the crime. But there is a larger purpose because I sit here and sit with General Reno and the leading experts in the Nation on this issue. They say what you said, Mr. Mayor. They say age 1 to 3, personalities are formed, attitudes are formed.

Well, age 1 to 3 is when that child sees his father beating his mother or the boyfriend beating the mother. Age 1 to 3 is when that child gets beaten themselves or gets abused themselves. Age 1 to 3 is when that child is exposed to the corrosive atmosphere in which they are raised.

So the combination of Violence Against Women, the Child Abuse Act, and a range of other things have as an ancillary, but very important, purpose to try to get at that aspect of the child's life. Head Start and all these other programs that I realize social conservatives think are a waste of time, again most mainstream observers acknowledge are one of the few ways we have to get in and have a hand in, have some influence on, have some ability to diminish the negative impacts of the fact that somewhere around 38 percent of all the children born in America last year or 2 years ago were born into a household where a father will never darken the doorway, where a male figure will never appear in the household.

When Pat Moynihan wrote his article that got him so much difficulty in the late 1960's, in the reference of benign neglect, he was talking about a cadre of 15 percent of inner-city youth who would be raised in an environment where there was no male figure and predicted that all hell would break loose when they got to be 15 years old.

I often ask Delaware audiences to mark in their own mind when they began to change their physical behavior in order to accommodate what they thought was the physical danger that existed for them out in the community. Women going and shopping and looking in the back seat of their car before they got in the front seat of the car when they came out of the supermarket. Men walking down the street and not making eye contact with other men. Men deciding that if they were accosted they just better give their wallet instead of putting up a fight because the kid's likely to have a gun.

When did all of this start to change? I think if you ask just intuitively yourself, if you're old enough, it started to occur in the early 1980's. I realize this is anecdotal evidence, but coincidentally it is the same time that cadre of young men were reaching the ages of 14, 15, 16, 17 years old that Pat Moynihan talked about.

Now we are in a situation, black, white and hispanic, Asian-American where you have over a third of the children born into households where that also means they are five times as likely to be born into poverty, five times as likely to be born into abusive circumstances, and so on.

So I do not expect this hearing to be able to deal with all those problems. This is a multidisciplinary, to use a Washington-type phrase, problem. But there are some things that we can do.

The second thing you all said, in terms of early intervention, you just did not mean ages one to three, you meant early intervention any time trouble reared its head. I will bet if we all went out there—we could not do this, but I will bet there is not a one of you I could not take into my wife's high school class, or when she taught junior high school, sit you in that classroom or take you into a grade school and go into the playground, and let you just observe that playground without saying a word for a week. You would be able to come back and, without any question, pick the at risk kids for me. You would not need a Ph.D. to know how to do that. We all intuitively know that. We know how to do that.

And yet, because of a number of very good reasons and very good social policy and very good cultural values, we tend not to be willing to intervene as a community. We do not want to overstep bounds. There is this great debate out there as to whether or not the Government is stepping into family affairs.

When I first wrote the Violence Against Women, the most ardent opposition I had was from some religious organizations. They thought that was interfering in the family because when a man slapped his wife, that was his—that was a family problem, not a social problem. Hopefully, we are changing that attitude.

But it gets me into the second part of this. You also all mentioned, in one way or another, education and aftercare. The only thing we know for certain in the drug area is the best drug program in the world, the longest incarceration in the world, is of little value unless there is intensive aftercare, after they are out, after they have gone, after the process has been finished, aftercare.

In the State of Delaware, we have roughly for every one probation officer, we have somewhere around 154 cases. Any graduate school in America tells you the manageable number is about 30. In Pennsylvania, it is 255, 256 cases per probation officer. So the idea of any aftercare is, quite frankly, nonexistent in most instances, any intensive aftercare.

So one of the things that has occurred is that in the crime law that we passed, there has basically been two stages of this so far. I think people have understandably been a little bit confused by it. The first stage of it was directed to be, I wanted very much to make sure we got the help on the streets to cops as quickly as we could. I think, to everyone's overwhelming surprise, that has happened more rapidly than any other Federal program that anyone can think of. I insisted that there be an application form that was, in total, one page. One page. There is no long detailed, you know, you do not have to have somebody who is going to be a Federal grantsmanship expert to do it and go hire someone. One page.

And we have, in the State of Delaware, already gotten 60 new officers, and we are going to get more. Over 18,000 have been put on the street or are in training since the law passed less than a year ago.

The second phase is about to set in, and this is a long preamble to get to what I want to talk to you about. Everyone is—well, I should not say everyone. Well, I think everyone actually. Everyone, conservative, liberal, Democrat, Republican, left, right, center, is no longer criticizing my cops program or the President's insistence on the 100,000 cops.

A year ago, they said it was all malarkey, it was not real, it was not going to happen. But it is happening and people are seeing the effects. Crime rates are actually going down already. Crime rates in New York City, crime rates in Philadelphia, crime rates in larger municipalities are actually going down. It is too early to tell whether there is a direct, absolute correlation between the additional cops and that happening, so I do not want to overstate it, but there is already some effects that are occurring.

Colonel Ellingsworth has already, in sense, resolved the major problem in Sussex County by being able to open up a new headquarters down there, a new area, and eliminating a serious debate about do we need a county police force in there. But now we are in to phase two. If my friends in the House of Representatives and that is Senatorialese to say that if some of the people, the appropriators, my friends over there, do not make a promise that was made to the American public, Delaware should get this year an additional almost $4 million for prevention related programs this coming year. As we already got 60 cops and we will get many more, we are going to get about $4 million in here for the various things you were talking about.

Now I might note a caveat. Mr. Livingston, the Republican leader of the Appropriations Committee, has already cut many of these programs funds. I might add that not one of these things is a single new tax dollar. I want to make it clear to everybody here. There is no need for anybody to apologize. I wrote into the law a thing called a trust fund. We made a commitment to reduce the Federal work force by 272,000 people. We did it. We have the smallest Federal Government work force since John Kennedy was president. We have actually reduced over a quarter of a million people.

Their paychecks are now going into a trust fund, just like the highway trust fund. Just like gasoline tax goes into that trust fund, it does not go to general revenues. This money is into a trust fund. No new taxes.

Now you could say well, Biden, you could reduce the deficit with that. That is true. And thereby do something with it. But we decided to use it for law enforcement. So the money is there, in that fund for this year. There is, for this year, over $4 billion for these programs. And my friends in the House are cutting those. They are taking that money and spending that money for cops and giving the tax break to somebody. Spending the money for cops and deciding to build a system or so.

I do not want to place value judgment on what they are doing, but they are not doing what was supposed to be done with it. I think we will turn that around, but if we do, it will mean Delaware, I will be able to keep the commitment I promised, that $4 million will be coming in here to Delaware this year.

Here is what it is going to come in for. In terms of general prevention programs, we wrote into the law a thing called the community school youth services and supervision program. It is an after school program. Delaware will get a quarter of a million dollars. It will be run by boys clubs, girls club, churches, outside groups to provide community activities on school facilities under the control of private nonprofit organizations, not the schools. But the schools will be made available.

So George, you talked about latchkey kids. One of the things I am trying to do is keep the latchkey kid in the school property instead of the latchkey kid on the corner or going home watching the television that does not have a V-chip. There is a local crime prevention block grants. That is you, Mr. Mayor, and if it works there will be $139,000 coming in here to do what you think is necessary to be done to deal with youth violence. There is a so-called ounce of prevention program that is another $39,000.

Assistance for delinquents and at-risk youth, this is similar to orphanages and groups and homes where we take these kids, and we are talking about not only after school but where you take the most at-risk kids who are not in trouble yet and find alternatives for them. The kid who lives in a home with a crack mother or a crack father and has no opportunity, and it is clear where they are going. So the family services organizations in the State out of this family court, will have that money available to them.

There is the GREAT program which is $350,000 that is going to be available for DARE and other gang prevention programs. And that is a total, for this those general programs, of $787,000.

Then there is other juvenile programs. Certain punishment for juvenile offenders. That is for secured juvenile facilities. That money will go to the State to be able to do, Greg, if the State decides they want to do, to isolate the most violent of those offenders who were tried as adults, sent back to a juvenile facility, to put them in a portion of the facility that is not integrated with the less violent—those who were not tried as adults.

The community based prosecutor's grants. This will go to the State AG's office. The juvenile justice total there will be $71,000. And then there are child abuse programs, the court-appointed special advocates. We have the CASA program, which is one of the best programs in the country, in my view., and I am very proud to say years ago I pushed that and now most people think it is a great program.

So that when you are taking a kid through the system that is abused, you have an advocate for the child in a situation where it is difficult to get an advocate, where you do not have the uncle or aunt or mother or father who has conflicting responsibilities to the defendant as well as to the child. There is a Judicial Training Act, money to go to the courts. And there is another series of grants. And then there is a lot of money that is available to go to police, prosecutors and crime victims, rape education, domestic violence shelters, et cetera.

The reason I mention these, and I will stop now, is to ask the following question. These types of programs, which seem to be exactly what you said we wanted to do, DARE, after school programs, juvenile justice programs, segregating by degree of offense committed children, making sure they do not go back into the community, because again, all you have to do is ask any cop in the State what happens. My wife took a group of her high school class, 10th graders—I will not mention the high school, because it will make it sound like this high school is the only one that has this problem, she could have taken, I think any high school class—to the State prison to give them a dose of, to let them see what it was like.

She took 23 kids, came back, no one seemed stunned by anything. They went in, heard the doors clank, saw it all, and no one seemed stunned by it. Came back for a class, she came home to me, and she was stunned. She has been doing this for 17 years. She asked the following question after class, on the ride back on the bus and at school, of the 23 or something—do not hold me to the exact numbers—well over half had a family member who was either in, had been in, or was going into prison. Well over half had already visited the prison as a friend. And almost three-quarters had somebody who had been in the criminal justice somewhere along the line, and to them this was like going home.

You know, if you get sent out to Farris and you have got seven kids from Eastside you have been hanging out with, and they are all there, well hell, you have got to figure out who to kickoff the basketball team. You only can use five of them.

So there is a lot of things we know, but we do not seem to have the resources to do them. So my question is, is the Federal Government in these programs, are we helping or are we hindering? Because I keep being told that these programs are wasteful, these programs do not make sense. These are some kind of social thing. I mean, how will you all view, from your various prospectives, this additional—I call it help, but maybe it is not help? Do these matter? Will this help you at all at home, the kind of programs I just mentioned?

I will start with you, Mr. Mayor.

Mayor HUTCHISON. Senator, let me point out probably one of the most effective programs we have in the State of Delaware, as far as law enforcement, is the DARE program. For 17 weeks we go into the school and work with students in the fourth, fifth, and sixth grade, and that is where it stops. What happens when they go to the seventh, eighth, ninth, tenth, and eleventh? I think we need to continue that program, to make sure we continue that commitment of the education that we have.

The program has truly been effective. We do not carry it out long enough. What happens is we go in for 17 weeks, and you can see this class as a result of this commitment, not only from law enforcement to student, law enforcement to teachers, parents, it is a combination, a partnership joined together. And it works, it truly does.

Senator BIDEN. You are going to get another $350,000 to do that.

Mayor HUTCHISON. We just do not carry it far enough. And if it is only a renewing that contract, that agreement that we had back in the fourth, fifth, sixth grade, but I do think we need to continue that program all the way through the system in order to continue that commitment.

Senator BIDEN. Colonel.

Mr. ELLINGSWORTH. Senator, it is pretty basic to me. When you look at Delaware, it is a great place. The population has increased, the use of the roadway has increased, shopping centers galore, the amount of cars on the roadway, the amount of crime has increased, demand for police service has increased. Someone breaks down on the side of the road, they want a police officer to come by and make sure that their family is secure and they get to where they want to go.

Everything is increased. You have got to increase the resources to the policing and the other agencies, to handle that load. Without the Federal support, we would not have the DARE program, we would not have the GREAT program, we would not have some of the victim's services programs that we have had. And now, to accent some heinous crimes that are going on in the nation here in Delaware, to be able to educate not only the police, but the community on ways of fighting these problems together.

I, quite honestly, do not know where we are going to go if we do not have these resources.

Senator BIDEN. Again, I want to make it clear, and I want to hear from the other two panelists, for the press that is here and the people that are here, when I wrote this legislation it was not the social scientists who asked me to put these programs in. It was not the liberals who asked to put this program in. It was not the people who run community based programs who asked me. It was cops who asked me to put these programs in, cops.

And I hope we can get this across to the public because if we do not have these kind of initiatives—and I am not married to any one of these. I have no pride of authorship in the specific program. We tried to put as much local flexibility in as we possibly can. As the colonel will tell you, he gets a cop he does not get any strings attached from the Federal Government for that cop. He tell us he can use it for community policing, he gets the cop. You get a cop, Mr. Mayor, you use that cop any way you decide you want to use that cop. So there is no Federal strings attached to this. There is no great followup programs. There is no big reports that have to be written. This is to get it out on the street as quick as we can.

George, tell me about after school. Tell me about, from your standpoint, if you think there would be any change if there was a real commitment—and let us just take the State of Delaware. I am not being critical of the State legislature or the Governor. I truly mean that. But I live here, so we will take Delaware.

What would be the case if we had real live programs that were of interest? These programs, these after school programs, by the way, are not necessarily programs where kids sit in the classroom. As a matter of fact, almost none of them relate to sitting, but they are places where there is supervision, academic, recreational, athletic. Is it better, would it be helpful if from 2:30 to 5:30 there was a place where kids wanted to stay and it was in a school?

Mr. PIPPIN. I think you have to take a look at the kids who stay after school that are participating in athletic events, football, soccer, hockey, track, band. Those kids, most likely, will not be out there committing crimes because they have an interest in that athletic or some other program. And that is only the small group of the kids in any public school system, probably no more than 10 or 15 percent of those children, stay after school with some type of organized, supervised sporting event or some other activity.

Yes, I think that if there are some resources, it is going to take some planning, it may take some space, it may take getting parents who do not work involved as those who supervise other parents' children during that time. We do not want to put the whole burden on the school system.

Senator BIDEN. By the way, to make it clear, none of this would be, this particular program, these programs would be on any school official. For example, what I heard from was, and they were some of the people in this room, from the nonprofit organizations, boys clubs, girls clubs, YMCA's, YWCA's, all kinds of programs out there, church-run programs.

For example, I happen to think, and I get criticized for this, I happen to think, along with the mayor—and I am not suggesting none of you do not think this—that values are pretty important. I think the Supreme Court ruling on the issue of whether or not schools could allow student-related religious activities and discussions and the like, I think that is positive. I do not think that is negative. We allow churches to be involved in this process, synagogues to be involved in this process of providing of—essentially, we decided instead of having to go out and build a new PAL gymnasium or having to build a new facility, what happened is, the way this came up, George, is I spoke to a police officer, a police chief in Newark, NJ.

He said he was riding home one afternoon and he realized at 6:30 at night, it was in the spring, it was still light out, and he said he was riding by all these high schools. And they were all closed, they were locked up. And the kids who live in that neighborhood, they do not go to bed at 9 o'clock. They do not go home at 6 o'clock in the evening, after practice, sit down, have their meal, then do their homework with parents supervising, turning the television off, and in bed at 11 o'clock.

So he came up with an idea. A cop, not a social worker, a cop. Keep the schools open. Keep the schools open until midnight. Now I am not suggesting Delaware do that or not do that. But the cops keep the school open until midnight. The cops have the gymnasium. The cops have the schoolroom. Volunteers from other agencies come in and they have the computer room open. They teach kids the computer. It becomes the hangout. They hang out at the school.

Now granted, that is an inner-city circumstance. But this idea was patterned after that, that if the local officials, if Dover High School, if CR, if one of the middle schools, if the political leadership in the communities decide that they want to take some of this quarter million dollars they will get from this grant, augment it, contact every one from the various churches or whomever, who offer them the opportunity to have programs there at that school, there is no need to go out and build another $2 million facility. It is there.

Now the real resistance I got from this was from school officials. Just like, you know, look, we are all the same. I mean officials. I mean, be fair to them. It is like the family court judge would not like the idea every day of me using this courtroom. This is his courtroom. Now they have been very gracious, they let me use the courtroom, I do not mean to imply that. But they would not like that every day.

If every day the family court shutdown, and it goes well beyond 5, but let us assume it shutdown at 5. If we said by the way, it is going to be open to the community from 5 on, you would find the people who work here saying wait a minute now.

Well, that is kind of the response we got, understandably, from the schools when we did this. But these are programs that are after school programs designed to take at-risk kids and fashion programs for them that involves parents as well as community-based organizations not run by the schools.

Is that something you think, if we get this money into Delaware, you can help get involved in and come up and fashion?

Mr. PIPPIN. I think that if our departments and our various divisions did not take advantage of trying to be part of that, it would be very foolish. I know personally there are people in our community just frothing at the mouth to be able to volunteer to work with families and kids. I experience it every day, I turn people away at my facilities' door, because I cannot accommodate them. But there are people out there that are just willing and want to, and just cannot wait for something to occur for them to volunteer to help kids and families.

I think that the schools have to take an attitude that these kids are going to be better students. These kids are not going to commit more crimes in their schools, they are going to behave themselves more because the kids now have something a little more positive to show for themselves.

Certainly it is educating the educators that hey, you guys have to buy into this. And you will reap some benefits from this.

Senator BIDEN. One of the things, and I have been talking high schools. I think, quite frankly, you will find this able to be used even more with the junior high schools and with the middle schools and the lower schools along the lines that the major was talking about, early intervention. And that is going to be up to—I am going to be meeting with all the community-based organizations over the next 2 months, so that they are ready and understand, like the Delaware cops are way ahead of all the rest of the cops in the Nation in terms of getting their applications in, knowing what they had to do, and getting it moving. I want to do the same thing with the community-based organizations.

But let me skip for a minute and ask you, Greg, and I will only ask a couple of more questions and let this panel go. One of the things that I hear a lot, and you and I have both worked on, is trying to computerize criminal records for adults. We have worked with the State police, the County police, and the State authorities in trying to get to the point that if a family court judge sitting here, knowing that the person he has before him has a stay away order that has been issued in Pennsylvania, or has had a history of violent behavior against his wife and the wife is here in front of the judge and she is asking for a stay away order, it would be good if he could press up on his computer and know what that record was ahead of time. And it is a costly thing, as we know.

More cops get shot walking up to cars and walking up to individuals who have long records and not knowing who they are, when if they were able to take—with the program that we have underway—able to take them back to their car, put their thumb in a machine that sits on their dashboard, and get a read as to who they were and what their record was, things could change a lot for cops.

How about juveniles? This notion of many criminal justice officials say that we should do a better job of keeping computerized records of juvenile convictions. Would it be helpful to the U.S. attorneys prosecuting an adult to have access to whether or not he or she had a juvenile record? And should juvenile criminal records be entered into computerized tracking systems?

Mr. SLEET. I have not given a lot of thought to that, Senator, but as I am sitting here listening I will try to take a crack at it and then I am going to ask AUSA McDonough, if you do not mind, to take a crack at that because he is a line prosecutor and he may have some better insights frankly.

It seems to me that that would be helpful to me, in making judgments as to how I am going to exercise my discretion in certain instances. Obviously, there are certain predictors that we can see from juvenile records. Not having the knowledge sort of ties one hand behind your back, as a prosecutor who is charged with the exercise of discretion, is charged with the responsibility of doing justice.

So it seems to me that it would be helpful in that regard. In terms of day-to-day kinds of decision, Tom——

Mr. MCDONOUGH. It would also help in the adult defendant who gets sentenced to another offense, in knowing that person's criminal history, because as you know, Senator, that triggers the sentencing guidelines. So the more we know about the juvenile record, the more appropriate sentence, and probably the heavier sentence, a defendant should have.

Senator BIDEN. I have one more question.

Mr. SLEET. If you have time, I would like to respond to the question also, that you asked of the other panelist.

Senator BIDEN. Hold the thought, and if you would respond to the following question. In terms of the capabilities, personnel, the number of people you have working for you, how much greater—let me back up.

There is a great push to federalize every crime. I have great difficulty with that. I think the local officials can take care of it very well. The irony of it is I want to provide Federal monies to local officials. And the people who disagree with me want to provide Federal responsibility for local crimes.

It is kind of an interesting sort of philosophic debate that is going on in Washington these days. I say these guys can handle it very well, thank you. They can prosecute very well and we should let the States go and do the bulk of the prosecution and the bulk of the policing. The Federal Government should only use its personnel in areas where the States need cross-jurisdictional capability or where the States do not have the capability, for whatever reason, to pursue it.

But because of the law that I authored back in 1978 that eventually became law, we now have a thing called the Federal Sentencing Commission. And if you get convicted, as I need not tell you, the U.S. attorney, if you get convicted for robbery in Federal court, you go to jail. The judge has no discretion, essentially has no discretion. If you get a 10-year sentence, you will serve 10 years in jail.

If you get a 10-year sentence for robbery in the average State in America, on average you go to jail for 4.2 years. You do not go to jail for 10 years. In the Federal system, you go for 10. There is some good time, but basically you go for 10.

Now there is a big push to push, and I do not blame the police for wanting to do this, if they can take a real bad guy into Federal court, a State police officer or a local police officer, if they can get that person into Federal court, they would rather get into Federal court, by and large, for that very reason. They know he is going to go to a Federal penitentiary and stay there.

They know if he goes to the State penitentiary he is not going to stay as long, although Delaware is better than almost every—there is only four States in the Nation that would meet close to the Federal guideline.

My question to you is, in terms of resources, if we add additional responsibility to the Federal prosecutor to prosecute juveniles in Federal court as adults, the so-called Dole amendment, the gang amendment, or the D'Amato amendment. Every gun crime committed by a juvenile, and you just listed in the State of Delaware that was something like 60 percent of the violent crimes, or 35 percent, whatever the number was. They would have to be tried in Federal court, not in State court. Is that a good idea?

Mr. SLEET. I do not believe so, Senator. No. 1, I do not think that the Founding Fathers established article 3 courts for that purpose in the first place. It seems to be that argument, that we should federalize more instances where our States and local authorities were traditionally involved seems to me to be illogical in light of some of the other arguments they are making, that big brother is watching over us too much.

I would probably—I guess we might have to double the size of our office?

Mr. MCDONOUGH. The entire system is not—we do not have the expertise in juvenile justice like the family court does.

Mr. SLEET. It is just not geared up.

Mr. MCDONOUGH. I think that we not only would need more prosecutors, but other support personnel as well.

Mr. SLEET. You would also need more Federal district judges. You would need to rebuild the courthouse, the J.K. LaBarge Courthouse. You could not do it in that facility. They are having a tough enough time operating as it is, as you well know, you are in there.

So the answer to the question is no, I do not think it is a very good question at all.

Senator BIDEN. And you wanted to comment on something else?

Mr. SLEET. My comment, I really want AUSA McDonough to say a word because some might take my comments as those of a political appointee and might say he is just brown-nosing up to the President or something like that. But I head an office of professional prosecutors and I have had one of my most senior prosecutors say to me, in the not too distant past, say to me Greg, I do not know what I am doing.

What he meant was I do not know if what I am doing is making a difference. And he is committed. He is a career prosecutor, he is committed to what he is doing and believes in what he is doing. But he has some real questions as to whether what he is doing is making a difference in our society.

And he is a tough guy. And he believes in long sentences and he believes in being a tough prosecutor. But he supports, and we have had a long conversation about this, he supports the phase II type programs, Crime bill phase II type programs, because he believes that we have got to try something else. We have got to do something other than what we have been doing to date, because what we have been doing to date is not working.

And I know AUSA McDonough has a story that he would like to share with you, as well.

Mr. MCDONOUGH. I am not that prosecutor. Senator, in 1980, this is about the Violence Against Women Act.

Senator BIDEN. How long have you been in the office?

Mr. MCDONOUGH. 1989.

Senator BIDEN. So you were not appointed by me or anyone appointed by me, correct?

Mr. MCDONOUGH. I was hired by U.S. Attorney Carpenter in 1989. I have been practicing for about 10 years. In 1980 I graduated from the University of Delaware and I worked for 2 years at the Terry Center on Dupont Highway with victims of child abuse. Most of the kids I worked with were between 7 and 12 years old.

What Mr. Pippin said and what you said, Senator, about early intervention is something that I have seen. These kids had already learned the behavior and the violence, the kids acted out and struck other kids. We worked hard with them, we were idealistic, we had no misconceptions, but we are going to turn them around. We worked hard with them.

Now, 15 years later, Colonel Ellingsworth's people and Chief Smith's people come to me with cases and I see some of the same kids I worked with 15 years ago. Those kids who were not reached early enough and now they are in Federal court for gun offenses and drug offenses.

So to anyone who says that that is just a liberal program, and it is not going to pay off with results, early intervention can help. These kids, it was not early enough for them. We got them when they were 7 to 10 years old. We need those programs.

Mr. SLEET. This represents, along with the colonel's line officers, and Chief Smith's line officers, I think in my line prosecutors, the best arguments that you have are for the maintenance of these types of programs.

Senator BIDEN. I appreciate that.

Unfortunately, we not only have prevention programs, the Crime bill which you are enforcing and others of you at the local level are having to deal with, we unfortunately have some very violent kids. We have done a lot on that area to increasing the penalties. This is not a one saw, the gang penalty. We provide up to 10 additional years for a gang member who commits a Federal drug crime or a crime of violence.

We increased penalties for drug dealing in drug-free schools. We have increased the penalties for drug dealing near housing projects, a maximum of twice the amount of time they would ordinarily get. We tripled the penalties for adults who use kids who deal with drugs near schools. The Direct Sentencing Commission enhanced the penalties for all crimes where a defendant used a juvenile to commit the crime.

We add gun offenses to the list of offenses for which 15-year-olds may be transferred to adult status in Federal courts. We authorized discretionary transfer of 13-year-olds who have been charged with the most violent crimes of murder, aggravated assault, armed robbery, and rape.

So this is not merely, I just do not want any of us leaving here, and the cops know this and the prosecutors. This is not something where we say well, we will just count on prevention. Hopefully we are getting to the point where we can walk and chew gum at the same time, where we can do what George Pippin said which was, you know, deal with the first offender, and deal with them sternly.

There is a very well known social scientist from the University of Chicago, who has what he refers to as the broken window pane theory, it has been referred to as that, he has written a long book about it. He makes the following point, and I would suspect most of those involved with social work here would also agree with it.

He did an actual experiment where abandoned factories or abandoned buildings with those thousands of little panes of glass, you know, like those old factories. Where they would go by and if all the windows in the factory, he would go by and he would throw a rock through one of the windows. Within a week after throwing a rock through the window, almost every pane of glass was broken.

Yet, if the moment the rock was thrown through the window that pane of glass was repaired, no more rocks were thrown. Interesting little notion about human nature, is it not? If you react immediately, there is now some evidence to the fact that you have a much greater potential to have impact.

There is less dispositive evidence that if you act quickly on the first offense of a child or a young adult that is going to have that effect, but there is some evidence to that effect.

The problem is, as the Assistant U.S. attorney pointed out, that by the time the kid gets caught the first time, he has probably done whatever he has done 20 times or a number of times. Some kids are hard luck kids in one sense, and the first time they do anything they get caught. Well, they may be the good luck kids, too, if we respond quickly, firmly and authoritatively the first time, we have a shot.

Let me close this panel, if I may, and I will ask you all for comments. But I would like to ask you, Mr. Mayor, you made the point that the solution to all our problems are not solely the Government's, and I happen to agree with that.

Mayor HUTCHISON. Absolutely.

Senator BIDEN. And that there is a need to deal with values. What are some of the things that we should be doing to promote basic values? We are so reluctant to have our school teachers be allowed to talk about values. Every time you mention values in a school context, everybody goes oh, my God, somebody is going to impose a value.

We do not even talk to kids, by and large, as a routine in our public school systems in the country, about things like truth, things like honesty. Not values about whether it is Jesus or Mohammed, whether it is—I mean, not those values, those basic religious values that separate religions.

There are a number of values, basic values of Western—well, not just Western, civilization at large, that flow through all religions. Should we be encouraging the school systems to talk more about basic values of truth, honesty, the way you treat one another, hold people accountable for that?

My wife, again and she gets mad when I quote her, but my wife in one of the very good high schools—they are all good high schools, but one of the better known high schools in the State of Delaware for its academic achievements—almost gave up calling parents telling the parent that their child had cheated or their child had done something on a test, because the immediate reaction of the parent would be not my kid, that did not happen to my kid.

Whereas, when we were growing up, if a teacher ever called up and said Johnny copied off Mary's paper, the parent, black, white, rich or poor, would be down at that school, have Johnny by the scruff of the neck, and take him home. But there seems to be something that is much larger going on here. This why me, blame the other guy sort of syndrome.

What are some of the things we should be doing, Mr. Mayor, to deal with this?

Mayor HUTCHISON. Again, I think it is a partnership and I think that one of the things that Governor Carpenter has said from the very beginning, he firmly believes that the early intervention and what have you is certainly the same thing that we are saying down at the city level.

But I think that again, from the Federal level to the State to the county to the municipality, we do have to come together in a partnership and realize that basic fundamentals is what made this country the greatest country in the world. And we have to implant that back into the school system, and that is where it begins.

I think it begins from the day that a child is born all the way through. I think that what we have to try to do is keep that partnership working together all the way from the Federal level. And it does not necessarily mean that money has to come with it, but in some cases, especially in education, certainly we have to have some money to support the concept that we want to do, as far as addressing early intervention in education.

But I do think that what we have to firmly be is standing for the same things, the same values all the way from Federal all the way down. And that we can do.

Senator BIDEN. I think that is true. Our next panel may be able to speak to this as well. My experience, and this is really my last question, my experience is that parents want to get more involved if we provide access, but they do not know how to. They do not know how to get involved.

Not all parents, but parents want to get more involved but they do not know how to deal with sort of what they view to be as the complex, sort of bureaucratic maze. We are lucky in Delaware, that the largest city in the State of Delaware is what, 88,000 people? The metropolitan area is a third of a million people.

But even here people are not quite sure, I mean we talk about user friendly courts. We talk about user friendly systems. I think we have got to figure out a way to make most of our other institutions more parent friendly, so that they do not feel foolish about getting involved, they do not feel out of place in terms of getting involved. But that is, I guess, another discussion.

Would anyone like to make a closing comment?

Mr. SLEET. Just along those lines, I think there is great wisdom in the African saying that says it takes a community to raise a child. It is more than just the parents' responsibility. It is all of our responsibility, and Mayor Hutchison has been talking about that all morning and so have you.

I think it is not just within our institutions. It is outside of our institutions. It is when you pass a kid on the street. It is when you see the kid doing something wrong, you have to take the—I know in some instances you have got to be careful about getting shot, and that is an unfortunate commentary today.

I have a very good friend who is a lawyer at Hercules who was not afraid and when he sees a kid doing wrong, he walks up and says what are you doing? What is the matter with you? Stop doing that. And I think we have to do more of that.

Senator BIDEN. I agree with you.

Mayor HUTCHISON. I would like to make one other comment, Senator, and that is what we have talked about certainly continues to put tremendous demand financially on law enforcement. One of the things that I have observed over the past several years, we continue to see our policemen retire at younger and younger years every year. And I think we are losing a tremendous resource base.

I would like to see consideration for programs that will allow us after retirement to hire some of these people back and allow them to do many of the jobs which can be done, which would not necessarily have to take law enforcement officers, per se.

Senator BIDEN. That is a good idea. You know, now that you say that, I am embarrassed to say that you mentioned that to me before and I let that slip.

Let me make sure I understand it correctly. Under our law now, if a policeman retires after whatever, 20 years let us say, 20 or 25 years. He or she is not able to be rehired with State funds, are they, to do anything?

Mayor HUTCHISON. That is correct.

Senator BIDEN. Are you suggesting that that person might retire and yet still be able to be rehired or part-time or in a civilian capacity to deal in these areas? Is that what you are suggesting?

Mayor HUTCHISON. Yes, sir, absolutely. What they can do, and the interesting thing is, first of all you do not have to pay any more pensions as far as they are not working on another pension. They are not working on health care, because that is already provided in many cases. You can hire them back at half the cost of what it costs a regular uniformed officer.

Mr. ELLINGSWORTH. Senator, this is hand-in-hand with your Cops More program, the same philosophy of what you have done with that program. It is just that you are bringing some expertise back in.

Senator BIDEN. That is a hell of an idea.

Mayor HUTCHISON. And the interesting thing is, too, not everybody can you hire. But I am talking to as many law enforcement officers today who have still a desire to continue to serve, but unfortunately because of their time, they ultimately retire and we lose them.

Senator BIDEN. I will tell you what, I will make a commitment to you that I will get started on it, because I know from our experience, at one time, having discussed it that this relates to there is a lot of Federal pensions, tax treatment issues that have to be looked at and how you do that.

But it seems to me you are right, that there is a hell of a resource. Look, we are trying to do that in other ways. I am very involved in the grandparenting program, encouraging this program to get grandparents who want to get involved with the young children in mentoring. We are going out, when this whole thing that we wrote on aid to the former Soviet Union. One of the things we are doing is we have this retired chief executive corps, where there are thousands of people who are retired who were chief executives of some of the major corporations in America, who have expertise that in Eastern Europe they desperately need. We put together a whole program to be able to funnel them in to teach, you know, Charlie Presednik in Minsk to be able to teach him to run a factory that makes widgets and help them with accounting and help them with the rest of the things.

So it is the same principle, it seems, taking the expertise and not let it wither. I promise you I will followup with you on that, and I think that is a great suggestion.

With regard to the last point that Greg Sleet used, I can tell you, Mr. Sleet, that you are correct that we should all do more and that African saying is absolutely correct. I think if we just think those of us over the age of 45—and I am 52, I am not trying to pretend I am still in the 40's—but people who are over the age of 45, we can almost all remember when we were kids growing up, that half the time we got in trouble it is because somebody called our mother or somebody called—I mean this sincerely.

It sounds corny to say it, but if you were fooling around at the baseball diamond when the big guys were playing ball and afterwards at the park, you had a mother, another mother, or you would have another mother or father walk up to you and say Joe, come here. Or you would have somebody call your mother and say he is down at the corner, he is doing such and such. It was a community.

That does not exist anymore. Parents do not have that kind of help. In large part, there is nobody home by the way. In the community I was raised in, in Mayfield and in Claymont, DE, in Brookview Apartments, there was always somebody home. If you were out there climbing the water tower or doing the things you were not supposed to do, another mother would be home and look up and see you. Now there is nobody home, and for understandable reasons. People need to work. And people need help.

But the other point that I would make to you, Greg, is that when you interfere it is amazing the response of the public. Some of the police will remember back in early 1980's I was taking my kids to a movie over, when it was still open, the Edgemore. It used to be the Edgemore movie theater. I turned left off the Concord Pike onto the road that goes by Gaylord's up in New Castle County. I came back that same way after I dropped them off at the movie, and there was a line of cars heading down the Concord Pike, Concord Avenue, backed up.

There was a woman on the side of the street, being—I did not know whether she was being robbed, raped or anything, but she was being beat up by two guys. And everybody sat there in their cars. So I ran my car up on the sidewalk, ran at them, jumped out, got back in the car and chased them, went across the street on to a lawn, and captured one of them and got the woman's—it turns out it was her purse, back.

It turns out she was a grade school classmate of mine. I did not know her, her name was Elizabeth Vatlana. The next day on the talk shows, and I asked the police to please do not mention me. If they needed me to—but this woman was so grateful that her grade school buddy had done this for her, she told everybody.

The next day on the radio talk shows, on WILM, was how irresponsible I was. I endangered people's lives by taking my car up on the sidewalk. I should not have gone across the road. I went on to someone's lawn, as I ran through back yards. Kind of an interesting commentary on society when people were sitting—my word. People were sitting in the car as close to that event going on as I am to that blue sign, parked, stopped at a red light.

There are some down sides to it, but I think you are dead right. We all have to take responsibility and you obviously all have.

I look forward to working with you, Mr. Mayor, and all of you as hopefully this funding comes through to make sure that we use these programs in ways that you tell me, that get here in ways that make sense. Because the only thing worse than not having any help is having this help and it be wasted to really further undermine the American public's belief that we can do something about this.

Thanks for giving up your Saturday morning. I appreciate it a bunch.

We will take about a 3-minute break and then our next panel will be George Puliam of the boys and girls clubs; Anthony Southerland, youth director and a former boys and girls club member; Dan Cox, representing the Dover Housing Authority; Marie Panico, ninth grade student; Dr. Wayne Bastian, superintendent of the Delmar School District; David Hill, the executive director of the First State Community Action Program, and hopefully Rev. Gloria Cherry will be back, if she can make it back. She submitted some good testimony to us.

[Recess.]

Senator BIDEN. We will reconvene. Again, thank you and Mr. Bunkley, the president of the board of Because We Care, is going to stand in for Reverend Cherry who had to go the hospital, I am told. I hope she went to visit.

Mr. BUNKLEY. She had an emergency. One of our church members had a stroke.

Senator BIDEN. I am sorry to hear that.

Let me again, from my left to my right, work our way around. I would invite any opening statements that you would have. Again, the main purpose of my being here and having you here is that, and I hope you found it encouraging, as you heard from police officers and the law enforcement types, they think much of this success failure is going to lie with you all, and that we should be helping more here.

I would be anxious to hear what you had to say because my primary purpose in being here, and inviting you all today, is to hear from you what you want me doing, to hear from you what you want us doing, what benefit we can be, to the extent that we can be any at the Federal level.

Why do you not identify yourself for the court reporter and then make any statement you would like.

## PANEL CONSISTING OF GEORGE PULIAM, UNIT DIRECTOR FOR THE DOVER BOYS AND GIRLS CLUB; ANTHONY SOUTHERLAND, DIRECTOR OF THE YOUTH VIOLENCE INITIATIVE; MARIA PANICO, NINTH-GRADE STUDENT, DELAWARE REPRESENTATIVE AT NATIONAL YOUTH SUMMIT IN WASHINGTON, DC; WAYNE BASTIAN, SUPERINTENDENT, DELMAR SCHOOL DISTRICT, AND CHAIR, DELAWARE DRUG-FREE SCHOOLS AND COMMUNITIES COMMITTEE; DAVID HILL, EXECUTIVE DIRECTOR, FIRST STATE COMMUNITY ACTION AGENCY; AND JAMES BUNKLEY, BECAUSE WE CARE ALTERNATIVE EDUCATION PROGRAM

### STATEMENT OF GEORGE PULIAM

Mr. PULIAM. My name is George Puliam. I am the unit director for the Dover Boys and Girls Club. Thank you for having me here, first of all.

I represent the Dover Boys and Girls Club here in Dover. We are affiliated with nine other clubs in the State of Delaware. The Dover club has been in operation for about 5 years now. We serve about 350 kids on a daily basis. Our hours of operation, in the regular school year we are open from 3 o'clock in the afternoon to 8 o'clock in the evening, and we offer a variety of recreational, educational, developmental, and preventive programs for kids ages 6 through 18.

We have had a great deal of success in the Dover community with kids who we believe that were at risk. Many of the kids that we serve are kids from single family households or kids who come from families with abuse. We believe that the programs that we have to offer have been very successful with that.

One of the reasons why we think that our programs are successful is the fact that we are available to that community. Our club is facility based. It is there. It is convenient for the kids.

Senator BIDEN. Where is it physically located, Mr. Puliam?

Mr. PULIAM. We are located in the Colonial Gardens Housing Authority. It is a Housing Authority development here in Dover.

Senator BIDEN. So you are right in the Housing Authority?

Mr. PULIAM. We are right in the community. The kids can walk right across the street to get to the club. They do not have a transportation problem getting there, and we believe this is one of the reasons why we have been successful there. Every program that we offer is offered right there in that community.

We have all our staff are college educated. The building is clean, it is safe, and we believe that the atmosphere is conducive for productivity in kids.

One of the programs that we are really proud about in the boys and girls club is a program that we call Smart Moves. It is a primary prevention program and it assists young people in resisting or staying away from drugs, alcohol, and premature sex. It really operates on six basic concepts. Each component is really giving the same message, stay away from drugs, stay away from premature sex, stay away from alcohol.

We have a variety of programs. We have a recreational room which is really the main focus of our club. Our kids get there at 3 o'clock. They play pool, they play bumper pool, they play pingpong. They play football. It is a fun atmosphere for the kids. I could really go into a lot of the different programs that we have, but one thing that we offer and that exists in the club is that it is fun. The kids have a good time there.

They get there at 3 o'clock and we literally have to put them out at 8 o'clock. I think one of the reasons for that again is because we are there. We are available. We are open.

You had mentioned earlier about a story you had told in one of the other States, why were not the schools open? I think this fits really right into what we are doing. We are there and we are open. If our club was not there, our kids in that community would not have any place to go. They would be standing on the corner. They would be doing nothing. But because we are there, we are available, they have things to do.

We have an athletic facility, full operating gym. The kids anywhere from 6 to 18 participate in competitive sports, basketball, volleyball for girls and boys, floor hockey, floor soccer. Any sports that is conducted in a gym, it is run in our facility.

We operate a learning center which is run by a certified teacher. And in the learning center, the kids are assisted with homework help, tutorial programs. We have computer assisted tutorial programs. In order to be a part of the other programs in the club, our kids must spend so many hours or so much time in the learning center.

Senator BIDEN. But do they actually do that?

Mr. PULIAM. They actually do that. There is a line at the door at 4 o'clock, when it opens up, to get in there.

The other reason why it is successful is because of the ratio. We have a teacher ratio of 10-to-1, 7-to-1, and the teacher has time to work with each kid.

There is a lot I can go on and say about the boys and girls club programs, but all of our programs are offered with one thing in mind. We want the kids to have a sense of confidence, usefulness, a sense of self-achievement. We think that the whole package that we offer is what makes it successful. Not any one program, not Smart Moves, or not our learning center, but just the combined package of availability, professional staff, and a clean facility-based program.

Senator BIDEN. By the way, I would note, the reason why I have been such an overwhelming, as your national leadership will tell you and you probably know, supporter of the boys and girls club is even before this Crime bill I introduced legislation funding the boys and girls club because of one little statistic that I found that some of you may find not shocking but reassuring.

They took a series of major housing projects in the largest municipalities in America. It was conducted by Columbia University. They took public housing projects and Columbia University and the American Health Foundation revealed that public housing projects with the same demographic and size, and they did a number of them. Ones with a boys club or a girls club onsite and ones without one on site, in various cities across the nation, guess what they found?

Where there was a boys and girls club on site in the public housing project, with no demographic distinction, so they did not go back and say this one is in this kind of neighborhood and this one is in this, no demographic distinction. There were 13-percent fewer juvenile crimes, 22-percent less drug activity, and 25-percent less presence of crack.

You say well, it did not solve all the problems. How many cops would it take to put into a public housing project to reduce the number of drug arrests for crack by a quarter, 22-percent reduction in drug activity generally, and a 13-percent reduction in all juvenile crime? That is why these cops like these programs.

That is why I have become such a big fan for the last 12 years of boys clubs and girls clubs and other organizations that similarly function.

One of the things that I want you to tell me for the record, Mr. Puliam, is how do you get the personnel who work at the club to work there? Are they all hired staff? Are there any volunteers?

Mr. PULIAM. Yes.

Senator BIDEN. Are there parents involved? How does that aspect of it function?

Mr. PULIAM. A combination of all that you just said. All of our full-time staff are full-time people who graduated from college with a particular degree. We have a resource of part-time staff that is also trained within the boys and girls club. And we have a huge resource of volunteers that does consist of parents who are in that community

But all of our people are trained internally in the boys club, all of our full-time staff are college graduates.

Senator BIDEN. Anthony, you are our next witness. Why do you not proceed.

## STATEMENT OF ANTHONY SOUTHERLAND

Mr. SOUTHERLAND. My name is Anthony Southerland. I would like to thank you for having me here. I am a youth violence prevention coordinator between the Jackson Street and Frame Boys Club in Wilmington, DE, on the west side of Wilmington. I service 40 youths between the two clubs that I organize an array of events from tutoring to recreational events.

These are 40 at-risk youth that really need someone there to guide them. My whole staff and myself take that in hand to do that. These kids need a place to go after school and we provide that.

It is a shame that we can only do 40 because we do not have the money to facilitate the rest. We also have a program on Friday nights during the school year where we bring in as many youth that have participated in tutoring as well as counseling for that week to have a Friday night program where we provide food, a special speaker and some type of recreation for them. That is a reward for them participating and being involved and staying out of trouble.

These kids are coming from backgrounds that are very, very difficult. I can see how some of them can become the way they are. I just think we need a lot more of the community to take one by the hand. If we all took one by the hand and showed them that we care and that there is an easier way and better way out, that a lot less violence will occur.

Senator BIDEN. How do you identify who is at risk?

Mr. SOUTHERLAND. Sometimes they are referred, but there are some kids that have been involved in the boys and girls club for such a long time that you actually know, or a parent may even bring in their kid and say look, he is having trouble. We will put in him place if we have the space.

Senator BIDEN. How long have you been doing this, Anthony?

Mr. SOUTHERLAND. I have been doing this since January, but I have been involved with the boys and girls club for 7 years?

Senator BIDEN. What is your background?

Mr. SOUTHERLAND. I have been a counselor of summer youth kids for 6 years. I became an athletic assistant and then I stepped up to this position. I have been involved with the boys and girls club since age 10, so I have been around. I have walked through the drug infested neighborhoods to get to the club. I have seen friends of mine grow up and go different ways.

Senator BIDEN. So it worked for you?

Mr. SOUTHERLAND. I guess being active in the club, I think the time and the staff, the people cared. They showed me there are people who I looked up to and followed behind because I knew that if they could do it, I could do it.

Senator BIDEN. How do you respond to the criticism, this is just sort of a—boys or girls club is just one big recreational deal? Do you, and I would ask this to you as well, Mr. Puliam, are there regulations and rules relative to how and under what circumstances a young woman or man can participate in the boys club? Or can anybody there and no matter what they do they can come back?

How do you respond to the arguments I always get, particularly from some of my friends on the right, that this is just all fun and games and there is really no evidence that it makes no difference? Do you have any internal discipline rules?

I mean, you mention Friday nights. Can anybody show up on a Friday night for this thing?

Mr. SOUTHERLAND. You have to do your minimum hours of tutoring. You have to attend counseling. And you have to be on your best behavior for the whole week. It is not just okay, I will mess up today and I will do my tutoring the next day. You have to do what you are supposed to when you are assigned to. So it shows them some sense of responsibility, also.

Senator BIDEN. I am directing this to you because, although you are both young, you are younger. How do you deal with this notion of whether it is cool—I am even using the wrong terminology—whether it is cool or not cool to participate? Do the real tough guys and the local gang leaders, how do you compete with that kind of, you know, if you walk through the boys club you are whatever? You are something other than a real guy. If you walk to the girls club, you are something other than a cool girl?

How does that come into play?

Mr. PULIAM. We have some of those same types of kids in our program. To go back to your first question, who can come to the club, the membership for the boys and girls club is $5 a year. So any kid that wants to be a part of the club can be a part of the club. We have kids that come and say I do not have $5. We find ways that they can earn or work off their membership. We want the kids in the club and if a kid comes to us and he says I do not have the $5, we still want him to be a part of the club.

To answer your second question, we have some of the tough, so-called tough, kids in the community. What I find out is that kids that we think are tough, when you really sit down with them and find out who they are and what they are all about, you find out they are not as tough as they put up to be. Really on the inside, they have got this image that they want to be tough and they want to be cool and they want to be drug dealers, but on the inside they are still kids.

And I think because of the types of programs that we offer and the way that we offer them, the closeness, the staff that is involved, the staff is related, we are involving the parents, we have techniques of causing the kids to open up so that we can find out who they really are.

I have a couple of those kids in mind right now. And sometimes they can be a headache. And sometimes little kids will look up to them and say I want to be like so and so, he carries a beeper. But then it becomes my job and my staff's job to show that kid that there are other options, that you do not have to have a beeper or be a drug dealer to be successful in life.

We have enough programs, enough activities in the club that we can preoccupy that kid who is 9 to 12 years old, so that he does not have to spend all of his time seeing that kid as his hero.

Senator BIDEN. Thank you. Maria, thank you for being here. Have you ever testified like this before?

Ms. PANICO. No.

Senator BIDEN. How old are you?

Ms. PANICO. Fourteen.

Senator BIDEN. When I was 14 years old, I could not even speak without stuttering, let alone come before a U.S. Senate panel of the Judiciary Committee and testify, so I am in awe of your ability, kiddo. So please, you tell us what you have on your mind.

## STATEMENT OF MARIA PANICO

Ms. PANICO. Good afternoon. Thank you for this opportunity for me to be here and talk to you about the youth conference that I attended last year. During the conference we went over the problems and the plans, solutions, and followups.

Some of the plans we went over were stuff to create a national multicultural youth forum, with youth task forces within Federal agencies to advise Government and give youth a voice. Create a national youth line to inform young people about youth serving organizations in their communities. Create a safeguard for local funds. Youth and adult mentoring.

Juvenile offenders should serve meaningful internships in community based organizations. Support meaningful jobs and job training programs. Establish youth courts with young people where they can be judged by their own peers that are the jury and the judge. Create a national conference for youth based addressing the issues which will affect the lives of young people.

Establish leadership summits at the community level. Ensure that the Government considers diversity issues when making decisions on youth violence. Linking services with avocation. Ensuring the programs have specific models. Creating a national media and entertainment body that will make press releases, at least direct organizations toward promoting positive press information. Enlisting the aid of higher institutions of learning on a more frequent basis.

Senator BIDEN. You are going to go to Arkansas pretty soon?

Ms. PANICO. I think.

Senator BIDEN. You think maybe? Were you invited to go down to participate in Arkansas?

Ms. PANICO. Yes.

Senator BIDEN. If all of a sudden we all in this room voted to make you Senator or make you Governor at the ripe old age of 15 or 14 years old, or chief of police, I know you have read and you did well and mentioned all the things that the summit recommended. But let me ask you to put it in plain old talk.

This idea of youth courts, youth judging other youth when they do something wrong. Do you think if you had a jury sitting over there made up of all 15-year-olds and there was a 15-year-old defendant accused of a crime and they became pretty sure that they committed this bad crime, do you think the young people would be harder on the penalty for the young person or would they be easier than adults are on the young person? What do you think?

Ms. PANICO. What is the penalty?

Senator BIDEN. Let us assume that it was somebody who robbed an old lady. Do you think they would be tougher than adults would be with that child, with that young person?

Ms. PANICO. It would either be the same or tougher.

Senator BIDEN. The reason I asked the question is that a lot of people think that young people are more lenient, more forgiving, do not hold their peers accountable. I think you are right. I think young people hold other young people very accountable when they do something wrong.

Let me ask you another question. If you could just wave a wand and do only one thing—and you may not be able to answer this question. You may want to have time to think about it while I listen to the other people. But if you could only do one thing and you were in charge—you are the governor and you are in charge of all these programs, what is the one thing you would do to try to diminish the amount of violence there is out there in school?

What school do you go to?

Ms. PANICO. I am going to Padowa.

Senator BIDEN. You are going to Padowa. Where did you go to grade school?

Ms. PANICO. St. Elizabeth's.

Senator BIDEN. Do you worry about somebody attacking you or about violence in school or anything like that?

Ms. PANICO. Around the neighborhood, yes. Not in school though, because everybody like knows everybody. But that is just my school, because the neighborhood——

Senator BIDEN. But around the neighborhood you worry about it a little bit?

Ms. **PANICO.** Yes.

Senator **BIDEN.** What are the things you worry about most, you personally?

Ms. **PANICO.** Me?

Senator **BIDEN.** Yes.

Ms. **PANICO.** Well, I do not really have any enemy so like if I am walking down the street and I see someone I am generally nice. I mean, you cannot say that that person is carrying a gun or that person is going to rob me, because if I think that I am not going to be walking the streets.

Senator **BIDEN.** I am not suggesting you should be scared, I am just trying to get a sense of what you do think. When you walk down the street—I have a daughter the same age as you. When she walks down the street I do not think she thinks anybody is going to do anything to her, although maybe she does. But sometimes, we read all these studies—we adults read all these studies that young people are worried about their safety.

I am just asking you, as one young person, do you worry that you may be a victim of crime? Is it something that you think about? It is not much to think about, is it?

Ms. **PANICO.** Sometimes. It depends who I am around.

Senator **BIDEN.** And it depends on where you are, I guess?

Ms. **PANICO.** Yes.

Senator **BIDEN.** OK; well thank you very much for your testimony.

You have waited a long time, doctor, and we are delighted you are here and I would like very much to hear from you if I may.

## STATEMENT OF WAYNE BASTIAN

Mr. **BASTIAN.** Thank you, Senator Biden. I am glad to be here and I appreciate the invitation.

I am Wayne Bastian, I am superintendent of the Delmar school district, and I also serve as chair of the State Drug Free Schools Community Advisory Committee. I have been an educator going on my 35th year, and I have seen a lot of changes here in the last 5 years, in terms of student violence. As a result of that violence, I think there are four very disturbing factors that I have evidenced, and it is a very, very concern to me.

First of all, the number of altercations are on an increase in the schools. The severity of those altercations certainly increased. Some of these things were mentioned earlier this morning, but I think you need to have the educator's perspective on them.

The violent acts are being committed by younger persons in the school, and also there is an emergence of gangs in many of the areas. Being from Delmar, of course, and Sussex County we thought perhaps these things occurred in the larger cities. But what we are witnessing the last 4–5 years, is that they are occurring in Sussex County, as well.

This morning Colonel Ellingsworth and George Pippin discussed briefly with you some figures about the House bill 85. I would like to repeat some of those figures, and also give you some other figures that have been derived from those statistics. During the 1993–94 school year 18 assaults were reported in which first graders assaulted school employees.

Senator BIDEN. First graders?

Mr. BASTIAN. First graders assaulted school employees. The totals for all grade levels, 745 assaults against another student, 149 assaults against an employee which occurred previously, 352 incidents reported in which students had in their possession or had used a weapon or a dangerous instrument. Shocking. Six of those students involved with dangerous weapons were in kindergarten, 17 in grade one, 121 were in grades two through six.

The 1994–95 school year, from September 1994 until March 1995, which is the latest figure I had on the compilation of statistics, there were 421 assaults against another pupil, 79 against an employee, 229 possession of firearms. Both of these years, it appears the greatest number of assaults and possession of weapons occurred in grades 5 through 10.

I have lived in Delmar the past 33 years and up until the last 5 years the primary concern of our police force was speeding automobiles. And I have just received this information yesterday from the town and it shocked me to learn of the change that is occurring.

On February 4, 1991, the town of about 3,000 population had the first drive-by shooting. December 8, 1991 the first documented violent drug related crime. November 9, 1993, two 15-year-olds were arrested for carrying a loaded handgun to the school. When they investigated that incident, they found that the two young boys were involved in robbing some houses and one of the weapons found was a sawed-off shotgun.

From October to December 1994, there were five violent assaults committed by juveniles ages 12 to 17. Now these acts of violence were not committed on other juveniles. These young people roamed the town. When they found an innocent victim, a person who was all by themselves, they beat the victim, knocking them unconscious, and the individuals were hospitalized.

As a result of investigating, what the Delmar Police Department found out was that these acts were carried out for a gang initiation. What they further found out was that 90 percent of the youths that I mentioned in these previous incidents, 90 percent of the youths had previous juvenile records. One of the youths involved in the beatings had been arrested seven prior times for acts which ranged from burglary to assault to car theft.

That is the bad news. What are we doing in the school system and what are we doing as a result of the money that we are receiving in the State, the Drug Free School and Community Advisory Committee?

As you know and was mentioned previously, that alternative schools have been set up in each county. Staff training has been proceeding at a very rapid pace. We have student assistance or mentoring programs in which students mentor other students, parents mentor students. The substance abuse prevention program, because we feel this is at the root of many of the problems, after-school recreational programs, community awareness programs, conflict resolution training for both staff and students, interagency initiatives between the various agencies within the State, Project Impact which was mentioned, the State police program at Camp Barnes. We have had a lot of success with that.

In Delmar we have had, for the last 5 years—and it just shows the extent that we are going to attempt to bring the young people and their parents together because, like you, I feel that there is a great concern there and somehow something needs to be done there. But we have what we call, every spring for the last 4 or 5 years now, we have had a super slumber party in which the students in grades seven and eight are invited to come to the gymnasium.

But in order to come to the gymnasium and spend the evening, the businesses in the area provide pizzas, they provide food, they provide money to purchase awards that are given on drawings. And I am not talking about little ones. I am talking about 10-speed bikes, mountain bikes and the whole bit.

But in order for a young person to get into the gym, they must be accompanied by a parent or another member of the family. And then during that process, there is a lot of trust activities and games that they play to try to bring the students and the parent closer together.

What do I see as the causes, from my perspective? And I will say that I had written them down last evening because some of them correspond to some of the things that you said that were included in your bill. But I feel very, very emphatic that we have to look at the problem from a broad perspective.

First of all, there is a lack of respect for others and what I call the "me" syndrome. I am the most important person and I do not care who you are. I am going to do what I want, regardless of what happens to you.

The lack of parental supervision. Young people on bikes within the communities, 10, 11, 12 o'clock in the evening until 1 or 2 o'clock in the morning. Substance abuse, certainly a great part.

The family abuse, violence, and substance abuse in the home. We have found, in the Delmar school district and in talking with persons in other educational systems, that we have an ever increasing number of students who are coming into the school system with family problems.

Movies and TV violence, and the thing of it is, the violence on TV makes the perpetrator the hero. So what students are doing is holding up the violence to that hero. Something has to be done.

The next one was mentioned here this morning, too, by George Pippin and I firmly agree that individuals are not being held accountable for their actions. I gave you one such case, where the young man had been arrested numerous times and had been involved in beating others.

I can give you an example that we had in Delmar. That was this school year. We had one young man who had been arrested several times and had been just scraping by many activities, in terms of being on the verge of breaking the law. One day he verbally threatened to kill a teacher. Of course, the principal had the young man arrested.

What the young man did not realize was that he had turned 18 years of age. So when he threatened to kill the teacher, and he went to court, he was no longer going through the family court system. The young man was sentenced to 30 days confinement. That young man, I checked with the police—and this happened in November.

That young man, the parents were very, very upset with the school system. They were very, very much upset with the police department. But that young man, since he served the 30 days, had been clean and has been a fine young man ever since.

So just as an example, it is not going to work for everyone, but it is an example that if we come down on them just a little bit hard, harder than we are, I think it will have an impact.

The boot camp idea, I feel that there is a gap with the alternative school. We attempt to do many, many things within the school system, but once the child leaves the school system, then they go back to that atmosphere where anything goes. There is alcoholism, substance abuse in the home, or there is the violence.

Certainly everything that has been accomplished in the school system then is not going to be reinforced. And I think that has to be reinforced in order for that to occur.

I jotted down some of your questions this morning because some of them were directed at the school system, and if I may I would just like to respond to those from an educational perspective.

Senator BIDEN. Please. Very good testimony.

Mr. BASTIAN. First of all, you mentioned the aftercare. The problems and the difficulties that we have in the school system and is the fact that if we have a person within the student body, a young person who is arrested for any particular and goes to court, or does not go to court, the confidentiality or the privacy rights protects that individual, protects the school system from knowing that.

If a student goes to the court system and the court should sentence that person or give him probation, the school system never knows that that student is on probation. So there is no way that we can help reinforce whatever it is that the court system has indicated is part of that probation.

You mentioned parents in school. You heard the parents were clamoring to get into the schools. It is not quite true. Some parents are trying to get into the schools. What we have found, the parents that do come to the schools are the parents whose students are doing well in school. I think that indicates something to us. If there is a close partnership between the schools and the parents, that the students will do better in school.

But that we do not find. We have difficulty even getting parents to attend IEP meetings, or individual educational planning meetings for their students. We send letters out certified mail, return receipt requested. We get no response. We followup with a second letter. We followup with phone calls and still parents will not show up and show an interest in the education of the young person.

In regard to the aftercare programs. It depends on how the legislation is written in terms of what the money can be used for. Many parents do not work during the day, they work in the evening, the second shift, the third shift. Young people, especially at the middle level or the high school level are needed at home to take care of younger siblings.

There is also a problem of transportation. Students come to and from school with the public transportation provided by the school system or provided by the State. However, if they stay in the evening till 6:30 then there is no transportation for the child back home perhaps. Not all, but there would be some. So that in terms of writing the program, certainly transportation would have to be one of those items that would be permitted under the use of that money.

In terms of use of the school facilities for their aftercare programs, you had indicated that you had heard from some of the school districts some hesitancy to do that.

Senator BIDEN. I was not thinking of Delaware school districts. Nationally, when we had this testimony over the years a number of national organizations evidenced reluctance.

Mr. BASTIAN. I think you would find that school systems would be willing to work with these programs and many of them do have those programs. However, I must tell you that there are some complications with that and I can just give one example. In the Delmar school district we have one gymnasium and if you are going to use that gymnasium for afterschool care, especially for the months of November through March, you have so many teams using it it is just busy from 3:30 to 10 at night. So there are some restrictions that the districts have, but I do feel that all of the districts would be willing to work with agencies to provide those programs, because there are programs in effect in the State and we have seen the benefit of those programs.

In terms of values education, I think many of the schools teach values—not directly. We know it is a touchy issues with many persons. But when we talk about values education, the terms that you talked about, the truth, punctuality, attitude about work and about doing things are being taught, encouraged from students. In some cases there are some punitive measures taken to try to reinforce that.

But here again, it is very, very difficult when you have a student or ask a student to be truthful, to tell the truth and then that young person misses school for 1 day and you have received a phone call from either the police or someone else in the community that the young man has been on the street. You call home and the parent says, no, I did not know he was not in school. But then the next day the person shows up with a note signed by mom and dad. So when you talk about values and you talk about truth, you see there has to be that in the home as well, because what is being done in the school has to be reinforced in the home.

I have taken enough time. I appreciate the opportunity. Certainly I would be willing to work with you in any way because the youth violence is certainly a problem and it is on the increase.

Senator BIDEN. You have made a real contribution to this hearing, doctor. One of the things that I—two points I would like to make and I have a few questions for you. One, I think the schools are asked to do much to much.

Mr. BASTIAN. I agree.

Senator BIDEN. That comes from having been for 28 years married to public school teachers. My first wife was a public school teacher—she is deceased—and my second wife is a public school teacher. And that is having years and years ago taught in the public school system myself. I think that schools are being asked to carry a burden that is beyond their capability. They are being asked to teach children not only to read, write and compute, but teach them to be honest, and good citizens, and refrain from sex, and tell the truth, and not use drugs, and the list goes on and on and on.

The public school system, unlike the private school system, does not have the luxury of saying, we will only take those children whose families are likely to reinforce those values. I went to a high school in Delaware that is, for religious reasons is a private high school, Archmere. Archmere has a great luxury. Padowa has a great luxury. They will throw you out of Padowa quicker than your head will spin if in fact you engage in certain activities that in the public school system there is no place to throw you.

So I really think that the public school system has an unwieldy burden imposed upon them. I want to make it clear, the programs that I referenced—and I am going to be putting together a conference so administrators statewide from the elementary, middle, and high schools will be invited. We will probably do this over several periods, maybe geographically, to make people aware of what these monies coming into the State of Delaware are eligible to be used for, so there is not some misunderstanding.

One of the things that is explicit is when we wrote this after school program, which quite frankly was the idea of two of my Republican colleagues and two of my Democratic colleagues. It was Senator Danforth of Missouri, Senator Domenici of New Mexico, Senator Dodd of Connecticut, and Senator Bradley of New Jersey. We had a long discussion after long hearings on this and the conclusion reached by me and they concurred was that we should not expect, should not ask and should not demand that the public school system bear any of the responsibility for these programs, nor any of the cost of these programs, nor should any of these programs or use of the facilities supplant anything that was going on within the school district.

So to give you an example, just for the sake of clarity at the moment, the idea that a boys and girls club or a YMCA or a church group would use a school facility, a gymnasium in December is not a reasonable prospect. There are basketball teams. There are facilities. There are volleyball. There are a number of things that schools have underway. So I want to make it clear, this is meant to be an adjunct to, not a supplement to the regular school day.

It will not work for all districts. It will not be necessary for all districts. This is local control. This is allowing local people to make these local judgments.

Also, I would point out to you, and we will go into this in a great deal of detail over the next several months as this proceeds, that there is a specific allotment for—because the school districts of America are so different—a specific allotment for the ability of the State and the organizing agencies to use these monies for transportation, explicitly provided.

But again, this is not meant in any way to—let me put it another way. The school district, the school in particular has first call in every instance on the school, has first call in every instance on the facilities, has first call in every instance on the programs, and has the ability to, in effect, veto any other use. But as a practical matter, if this works well within the community it will be an adjunct to.

So it is truly a local—and with someone with your commitment and your abilities, I think you will be able to use some of this wherewithal that will be coming your way in Delmar. You are so well-respected that people are going to look to you for some of your ideas and input on the various things that are going to be made available. But the bottom line is the same.

I should not keep mentioning my wife, but just in the last 8 years, the ability for people to show up at her parent-teacher meetings is almost nonexistent. It is interesting. It does not depend totally upon the economic background of the students. When my wife was at Claymont High School everybody showed up. From a socioeconomic standpoint, one of the lower socioeconomic school districts in the State. People showed up. The value system was a little different—black and white.

One of the more affluent school districts in which she taught, did not show up. And the most likely person from whom the note was to come was the father who worked for a large corporation saying, my kid was home and had my permission, when he had no idea where the kid was.

It is astounding to me how the diminishment of parental responsibility and parental excuse-making has sort of taken over. I have noticed it just in the last 6 to 8 years. It seems to me that it has been a real change. Is that your experience?

Mr. BASTIAN. That is my experience exactly.

Senator BIDEN. It is kind of strange. I would have thought this would have been something that would have been incrementally occurring. But all of the sudden it just seems like it was—my wife is one of those teachers like many, many teachers, the kind that guys like you want. My wife does, no fooling, 2½ to 3 hours worth of homework every night. She is an English teacher. She makes sure every student has at least two writing assignments every week. She works hard at it. And she will be on the phone at least 45 minutes to an hour calling parents at night, both complimenting, encouraging, trying to convince a parent that this child should get into a special program because of great talent, or this child should—

It got to the point where she became very disappointed, to say the least, in some of the responses that would come from parents. So I am an admirer not a critic. But you have a lot that has been dropped on your plate.

Let me ask you two quick questions. First, as you have stated by your experience, you may not know it from a statistical standpoint, crime in rural America—and Delmar is rural America—crime in rural America is increasing over the last 3 years at faster rate than it is in urban America. That is why in the Crime bill I have an entire section for rural law enforcement. That is why Colonel Ellingsworth is able to put that new station down in Sussex County, because of the rural crime provisions and other provisions, the cops provisions.

So that people should understand, you are faced with the same exact problems on relatively the same scale only at an escalating rate that they are in inner-city school systems. This idea that people think Delmar or Georgetown or wherever, no problem, do not understand what you are faced with.

I have been a really strong proponent of boot camps. The State has decided to use some of the Crime bill money to have boot camps. The Governor and I, as a matter of fact, are having a press conference Tuesday to announce the first initiative. Why do you think—you mention them. Why do you think they are useful? What is your rationale? I did not quite understand when you said the alternative school——

Mr. BASTIAN. The alternative school is one step, but I think in terms of the boot camp it goes just one step beyond that. I envision a boot camp as being a residential type of treatment where the person stays there.

Senator BIDEN. It is.

Mr. BASTIAN. I think that the young person in that type of a setting where they must get out of bed in the morning, where they must be responsible for certain things within that boot camp or certain demerits, certain things happen to them, to get them to understand the importance of punctuality and the importance of doing those things that they are asked to do, and to get away from the substance abuse. I see it primarily because of the residential component and the fact that the person does not go back home.

Understand, I am the strongest advocate for the family that you can ever be. But I think when a child begins to drift and drift and drift and you begin to see them on the streets at 1:00, 2:00 in the morning and there is no one home, then it becomes another problem because you know that it is not going to be effective what you are doing in the school or what anyone is doing in any of the other agencies. So I think that is No. 1.

I think it teaches them responsibility, and part of it is the fact that, as a former marine, I know what boot camp did for me. I look back on that as one of the best things that ever happened in my life. I soon learned what responsibility was. I soon learned what consequences were if I did not do certain things that was asked. I just think it is a vital component. And I think as part of that boot camp component there could be some public service done, cleaning up along the highways and things like that, and beautification of the State as part of that program, so to satisfy a couple things of the State.

But I just think that so many of them are used to going home, throwing the books down if they take them home, going out in the street and staying there. No sense of being at a certain place at a certain time and being responsible for doing anything. I just think that the boot camp is the next step.

Senator BIDEN. Let me ask you one last question. Many in the Congress want to eliminate the $400 million safe and drug-free school funding that is out there. Delaware receives roughly $2 million of that safe and drug-free school money which allows the schools, as you know, to do everything—fortunately we do not have to do it here in Delaware—everything from erecting metal detectors to hiring police officers to hall monitors to a range of things. My question is, do you receive any of that $2 million? Does Delmar receive any of the money?

Mr. BASTIAN. Yes, we do.

Senator BIDEN. What do you use it for? What are the type of things you use it for?

Mr. BASTIAN. We use it for contracting for counseling, counseling agency where we can get involved in more counseling other than what we have at the school. One of the things that I have assumed as a philosophy of mine is that the number of counselors that we have, rather than having a large student to counselor ratio, we have in the junior and senior high school under my jurisdiction 644 students and we have three counselors. That is what we have done as a result of what we have seen happening in the community.

Senator BIDEN. Has it been beneficial?

Mr. BASTIAN. It has been beneficial. But yet what I am hearing from them, there are problems that they cannot deal with and they are so swamped with the problems that young people are bringing in that we have to contract with outside agencies. We do that. We also contract with other groups to come in and present substance abuse, no drinking, alcoholic beverages, stay away from drug type activities with the young people. We also, the super slumber party that I talked to you about, some of that money is involved there. But the biggest part of that comes from the community because we feel it is a community program.

Senator BIDEN. So you use the money as seed money as well.

Mr. BASTIAN. Understanding that we only get about $6,000 so it is a very, very small amount.

Senator BIDEN. You use it for seed money?

Mr. BASTIAN. Yes.

Senator BIDEN. In other words, for example, the slumber party you seed it and then the community—I guess what I am trying to get at it, I do not want to be one of these public officials who because I had an idea and had it made into national law, I do not want to keep it if it does not work. I am not married to—I think we have to be grown-ups and although it may have been a good idea, if it is not working I am ready—I will be the first one to, as the author of this $30 billion bill over 6 years, I am willing to move on.

The thing I want to do, I want to convince people, I want to make sure that what we do we spend these dollars effectively and efficiently so they do not come along and take away the boys and girls clubs money because they think, none of this works. I have gotten very good response nationally and in the State of Delaware on the safe and drug-free school monies, but I wanted to be—if it is not useful, I want to know that too. You seem to be saying to me that it is useful as little as it is. If you had more it would be more useful. Is that the idea?

Mr. BASTIAN. It would be more useful, that is true. I have given Clare DeMatteis a copy of a publication or a report that was done by Edith Vincent from the State Department of Public Instruction which lists the amount of money that went to every school district and also what they used that money for. I have several other copies of that if you would like to have more. But I think if you look at that you can see that the school districts are using that money for good reasons.

Now the thing that—I think for those who are statisticians and sit there and say, we provided this money for 5, 6 years, whatever it has been, and yet we see the drug increase continue to climb. But my question is, how much faster would it be climbing if we did not have that money? See, you cannot control that. So maybe we are making some headway in this in early intervention.

Senator BIDEN. I really think you are. I think it is a very, very important program. When I ask the community at large, if I say to them—I go to a town meeting and say, what is the place you think should be made the safest in all society? They will say their home. Then you ask them the second thing, where is the next place? And they immediately say the school. People want to know that when they send their child to school that they are not going into a war zone, they are not enhancing the risks to that child. That at least once they get within the confines of the school grounds that it is a nurturing, safe compound.

Now it may be difficult in some communities, it may be like a war zone getting to the school. You may have to walk through or ride through a lot to get to it—not so much in our State but other States, but in some parts of our State. But once you get to that school, parents want to know that they can be assured their child in that school is safe. I mean, knowing full well that children fall down stairs, children get in fights, children have accidents in the gymnasium. But beyond the obvious things, they want to know that they are physically safe.

I have found that this—it is beyond me why there is a desire to eliminate this funding, which again is no new tax dollars. It is part of a trust fund. It is sitting there for this purpose. I am really, quite bluntly, confused about it.

But I thought, you have a stellar reputation. You have a stellar reputation as you are no wide-eyed idealist. You are a guy who is out there. You have done this. You have been around a long time, you know the system. You are devoted to it. You are devoted to these kids. So when I ask you as a superintendent of Delmar whether or not you think this program is worthwhile and you think it is, that goes a long way. It is not like you are benefiting from it personally in any way.

I will end my questioning of you by telling you just how smart a U.S. Senator you have. In 1972, as a young 29-year-old guy running for the U.S. Senate, the first time I had been in Delmar as a candidate for the U.S. Senate. I was campaigning down the street, and I used to walk up to a door and knock on the door and say, my name is Joe Biden, Democratic candidate for the U.S. Senate. I sure hope you will consider me. Do you have any questions? I went to five or six homes and people were very polite, and they looked at me and nodded but did not ask me anything.

Finally I got to the sixth or seventh home and some good ole boy answered. It was a Saturday morning or early afternoon. The fellow answered and he said, you are doing what? I said, I am running for the U.S. Senate. He said, which State? And I said, Delaware. He said, you damn fool, you are in Maryland. [Laughter.]

I was on the wrong side of the street. Literally was in Maryland. I was on the wrong side of the street. I had gotten myself turned around. I came in the west side of town, so I was working the right side of the street, instead of coming the east side of town and working the right side of the street. Anyway he said, you damn fool, you are in the wrong State.

Mr. BASTIAN. May I make just one other comment?

Senator BIDEN. Surely.

Mr. BASTIAN. I know one of the questions that you asked and you just talked about the student group being the body that more or less serves as a court to judge students. I thought long and hard about that and some of those programs they say are working and have worked. I have one concern about that though. Some of those students who are going to be sitting in that judgmental position, you are really putting them in a very, very bad position in terms of retaliation some time later. I think if that is a direction you want to go, you have got to think about that long and hard.

Senator BIDEN. Quite frankly, I am a skeptic about it. I was trying to make a larger point. There is no initiative, on my part at least, and none that I know of seriously at the Federal level to suggest that. That is something that local school districts have the right and option to undertake. It has worked many places when it comes to honor codes. It is a very different thing to make it work when it comes to violations of the physical integrity of the student body.

But again, I am the last one to suggest that the Federal Government is the repository of all wisdom. I would like to see these decisions be made locally, not federally. So I am glad you raised that because it is not my position that we should have students judging other students on matters relating to what is essentially criminal activity, for reasons you stated and others.

But one of the things I do think has been useful, and were I one of your teachers or one of your administrators that I would be—and this is presumptuous of me to suggest—local State senators and local State representatives do not tell me how to vote on Bosnia and I do not tell them how they should vote on local issues. That is why we have this Federal system.

But to make it clear, my view, I think that the moral disapprobation of one's peers goes a long way. Now you can take it from an extreme in our culture in the Mennonite and other cultures of shunning, all the way through in the Catholic Church to excommunication. It is all based upon one basic premise; that when you violate the rules of the club, when you violate the rules of society, when you violate the rules of civility that everyone else is going to let you know you have done that and you will have paid a price. The price is to be part of the social intercourse of the organization.

I think that one of the things might be found useful would be for students—and some schools have done this—as part of your civics classes or others, or student body activities, to have in effect mock trials that do not relate to an individual student. But it has been found to be useful where you go through—and you do not do it for purposes of teaching young people to be good advocates or lawyers. You go to it for the purpose of randomly picking students, have the teachers stand up there and present the case, and have the students be a jury and make a judgment—have an actual student jury. Then watch the student body watch the students respond to this.

It is another way to communicate to students at large, which individual students are reluctant to communicate. I am out of my field here talking to you about this. But individual students I find, unless they have exceptional leadership qualities and capabilities, which few of us have period, young or old, it is very, very difficult for a student to say, by the way, what you just did is wrong. You have to have an awful lot of self-confidence at 14 years old to do that unless it is your close and best friend.

But as students know that, I think it has some potential. I do not want to make more of it than it is, but that is the context in which I think it makes more sense.

Mr. BASTIAN. I agree with that. I think we are doing that through a lot of our student mentoring program and also our peer counseling programs.

Senator BIDEN. Absolutely.

Mr. BASTIAN. That is part of the use and you will see, looking through that report, a lot of school districts are using some of the drug-free money to train students to be peer counselors, and also to look at this whole issue of student violence and how to not become involved in a violent situation and how to deal with themselves in that setting.

Senator BIDEN. Gentlemen, this is getting to the last but not least. You just happen to be at the wrong end of the line here. I apologize.

Mr. Hill, you are with the First State Community Action. I would invite your comments and would like to hear what you have to say. We are now, for the record—I want the press and everyone to know, we are now 2 minutes over when we said we would break at 1:00. But since I was about 18 minutes late, we are almost on time. [Laughter.]

Mr. Hill.

## STATEMENT OF DAVID HILL

Mr. HILL. Good afternoon, Senator. My name is David Hill. I am the executive director of First State Community Action Agency, which was formerly Sussex County Community Action Agency. We operate some 16 or 17 social service programs in Sussex County and recently have expanded to administer the community service block grants for the entire State of Delaware.

I want to speak to you about one program in particular that we just started in January dealing with youth, and then maybe—I know that time is late—maybe react to some of the things that have been discussed by earlier panel members. But first let me start with the Milford COED program, Communities Organized for Employment and Youth Development, which was a local initiative started by a group of concerned citizens in Milford who came to us and asked us to administer the program on behalf of them.

First State Community Action Agency and Milford COED program personnel are well aware of the problems facing and often inherited by our young people today and are committed to serving out-of-school youth ages 16 through 21 who live in Kent and Sussex Counties and who need assistance in removing personal, academic, and/or employment related barriers to becoming competitive, productive individuals. By definition, that target population would include youth who are economically disadvantaged, who are basic skills deficient, school dropouts, pregnant or parenting, learning disabled, homeless or runaway youth, offenders and/or welfare recipients.

The 7-week employability skills instruction and remediation GED preparation curriculums are comprehensively information disseminating and self-esteem building, and were painstakingly developed to assure that our students are well-prepared to compete and succeed in becoming contributing members of the employment, academic, and world communities. Upon completion of the classroom portion of the program, students are placed in a program subsidized, 5-week, 100-hour limited internship situation with a company or an organization which has agreed to provide training, supervision, and in some cases, employment at the end of the internship period.

Senator BIDEN. How many companies do you have signed up?

Mr. HILL. About 13 right now.

Senator BIDEN. Good.

Mr. HILL. Limited internship may also be a precursor to occupational skills training referral, a return to school, or entry into higher education. Job placement assistance is provided beyond contractual parameters for all students who enter a job-seeking mode after the internship experience and who do not wish to return to school or receive additional training.

COED provides program enrollees with a comprehensive, quality training experience that will assure that each participant, beyond the immediate goal of unsubsidized employment, leaves us with a thorough knowledge of the employment process, enhanced sense of self, increased educational skills, and the motivation necessary to achieve financial self-sufficiency, and the desire to work for the betterment of him or herself and others.

The work readiness job experience of the COED program provides its participants with an all-inclusive, self-oriented approach to employability skills using the Strategic Employment Learning Forum, or SELF, curriculum developed by the program manager. The SELF manual is designed as a tool to guide participants through five progressive training modules. It contains facts, guidelines, formats, samples, suggestions, and self-esteem building activities, all developed to assure that our program completers are well-prepared to enter higher education, occupational skills training, or to seek secure and retain gainful employment.

SELF completers will be thoroughly trained and knowledgeable in all aspects of the employment process from the preparation through the search and subsequent offer of employment, through job-keeping behaviors and attitudes. Additionally, they will have experience and enhancement of self-esteem and improved confidence levels.

The remediation GED preparation is a course designed to instruct students at their own level in the subjects of English, mathematics, social studies, science and literature. The subjects are integrated and applied to students prior experiences whenever possible. Formal and informal testing are done constantly to provide familiarity with the GED experience and alleviate test anxiety.

The Milford COED program facility is a DPI-certified preliminary testing site for the GED. The course provides students with a general knowledge of science, social studies and literature. Emphasis is placed on English and mathematics. It is important to note, however, that English and mathematics easily allow materials and discussion of the other subjects.

Computers are utilized throughout the course. All English composition is performed using WordPerfect 5.1. Instruction on WordPerfect is offered on an as-needed basis. Students are also taught the mechanics of the 10-key calculator, are permitted to exercise those skills after they have exhibited the ability to perf pen and paper math functions.

The desired outcome of this course is that our students be pared to take and pass the GED examination. To meet the g of this course, students must correctly answer 60 percent of all swer questions on the preliminary test as determined by the GED testing service of the American Council on Education.

The limited internship, a network of private sector limited internship sites are developed in communities throughout Kent and Sussex Counties. COED participants who have completed the work readiness job placement assistance and remediation GED preparation segments of the program are placed in subsidized employment at selected sites in accordance with the student's interest and abilities. Site contacts provide their assigned interns with on-the-job training and supervision in preparation for entry into unsubsidized employment with completion of limited internship.

The program manager conducts periodic site visits for the purposes of evaluation and support. During the initial stages of the limited internship period students reassemble at the COED training location each Friday for a 2-hour job club to review and discuss individual and collective internship issues.

Limited internship completers exit their respective internships with a working knowledge of workplace behaviors and operations. Having previously completed requirements in work readiness, job placement assistance, and remediation GED preparation, our students will have been thoroughly prepared to attend college classes, begin occupational skills training, or to enter the work world and unsubsidized employment.

We have completed two cycles of the program since January. In the first cycle we had eight students. All eight of them completed their internship and the remediation classes. Four of them obtained full-time or part-time employment. Two of them have gone on to higher education. Two of them are waiting possible job placements. And one of those students did receive a GED. The other students who participated in the GED program are still going through the GED preparation. The one who has completed is going to be attending Delaware State University as a biology major in the fall.

The second cycle of 13 students, 12 actually completed the courses; 10 completed their internships. Two have full-time or part-time employment. One has gone on to higher education, and there are nine that are still completing the last couple of weeks of their internship with unsubsidized employment pending.

We are excited about this program. It is basically a demonstration project funded under the Delaware Private Industry Council with JTPA funds. But we think that it is a program that has really turned around the lives of these students. All of these students were dropouts; 90 percent of them had gone through the juvenile justice system, referred to the program either through family court, through department of labor, and many referrals from the community. We are looking to expand the program statewide at some point.

Mr. HILL. Now in reaction to some of the things that——

Senator BIDEN. Before you do that, before you react, why don't we invite Mr. Bunkley to speak and then you both can react to anything that has been said and I have a few questions for you both. Mr. Bunkley.

By the way, Lillian Jones is here. She is the Delaware State Parent Association executive director and assistant director of PAC Family Support Network. She has her hands full. And Dr. Guante is here, a former superintendent of the capital school district who has forgotten more about a lot of these things than I am likely to learn. It is good of you to be here. I appreciate your presence.

## STATEMENT OF JAMES BUNKLEY

Mr. BUNKLEY. Good afternoon, Senator. Mine is going to be short and brief. I am standing in for Reverend Cherry who is director of Because We Care. My name is James E. Bunkley, for the record.

Because We Care has been in existence for approximately 12 years, but in the previous years Reverend Cherry wrote for grants and received monies through grants from various companies and organizations. At that time it was a program strictly looking at children at risk, coming from single-parent homes basically, and either the parent or in some cases the schools, and in some cases organizations would refer one of the children to the program.

Then the last two years have been involved with the alternative school program which this last year they got a grant from the State for quite a bit of money to help to improve the system. Last year they had 32, I believe, out of 35 that completed their school curriculum in the various grades and were able to go back to their regular school.

The alternative program receives the individuals from the regular schools that have been expelled for various reasons. We handle five different school districts in Kent County. One of the things that Reverend Cherry would want me to say would be that she feels that actually you need an alternative school program in each school district because this past year we had 55, I believe, if not 60 individuals in the program from the various school districts.

The board had said that they would not go over, with the facilities that we have and the number of instructors and counselors, would not go over 60 because of the fact they just could not do what they are supposed to do in trying to get the kids back on the right track.

So this is one reason we felt that basically it is a good program and it is working real well. They have counseling. There is one problem with the children—a lot of the children need medical help, and as far as my knowledge, there were no funds available in a lot of cases to get them to the individual. You had some individuals that we suspect of being involved with drugs and going on the basis of trying to get them to a hospital or to a doctor that would test them and not charge a fee because we were told at one time I think it was something $35 or better to have a child tested for drugs, and the money at one time just was not there.

But Reverend Cherry has worked with the mayor and the various leaders in the community trying to come up with ways to resolve the problems. The board, we more or less listen to what is going on and try to find ways to assist her and the school in doing the things that they are working on. But it has not been a big, big success I will say in fund-raising, but we have tried to do what we could to keep things going.

Senator BIDEN. It is kind of tough to keep it going, is it not?

Mr. BUNKLEY. It is tough. It is real tough.

Senator BIDEN. Because what you do—let us make sure the record is clear on this. I have two superintendents, one present and one former sitting here. You end up getting kids who have been expelled from school because of their disruptive behavior.

Mr. BUNKLEY. Yes.

Senator BIDEN. So you are not starting off with the easiest kids to handle, right?

Mr. BUNKLEY. Not by a long shot.

Senator BIDEN. As I understand it, the reason for the success is because the way you have set up—it is a small group setting in that you have got about a 10 to 1 ratio, students to teacher?

Mr. BUNKLEY. Yes.

Senator BIDEN. You have, what, two certified teachers who teach the standard curricula in the school? How many certified teachers——

Mr. BUNKLEY. I think it is three. I do not have all the particulars.

Senator BIDEN. But the students also get some computer training?

Mr. BUNKLEY. Computer training.

Senator BIDEN. But as I understand it, Reverend Cherry also has it so that you teach some parenting skills? Because some of these kids come as parents, right?

Mr. BUNKLEY. I believe so. We have got a couple of them there.

Senator BIDEN. As my mother would say to you, she would look at you and say, as director, dear, no purgatory for you. Straight to heaven. You are dealing with a circumstance that—I made a reference earlier. I should clarify the record because I have to be very careful what I say, that I taught in the school district. I taught in an alternative school at Syracuse University. When I was at Syracuse University in law school I was a substitute teacher. I could make $29 a day, which was a lot of money.

Syracuse, back in the 1960's we had a system in most States where this idea of alternative schools was in vogue back then. We eliminated in the 1970's. But I taught at one of those alternative high schools where it was the high school in center city Syracuse, a town bigger than Wilmington in terms of its total population but because of the geographic boundaries about the same as Wilmington, about 350,000 people and Wilmington proper is about that. The reason I got to teach a lot was because teachers were out more often in that school. It was a tough school to teach in.

So I have a little bit of—I did it for a year; my senior year in law school. I have a little bit of experience with what you are going through. It would have been even better had we had a 10 to 1 ratio. They had a normal school ratio in that school. There were just so many students there because—at any rate, there are programs which we will be talking to Reverend Cherry about and others, and other church-based groups that are very different than this very structured alternative offered here, that we are going to see how they work here in Delaware.

But let me ask you, how did you get involved in this? How did you take on this—you are the director, right?

Mr. BUNKLEY. No, I am the president of the board. Reverend Cherry is the director.

Senator BIDEN. That is even worse. How did you get involved in this? I mean worse in a positive sense. I mean, that is even more of an obligation in a sense. How did you get involved?

Mr. BUNKLEY. Through the years I worked with a couple of other gentlemen that were working with the program, and I knew Reverend Cherry and her husband. And when she asked me to be on the board I accepted and started working with the board.

Senator BIDEN. Let me ask you my last question here. As a layman, do you have a sense—I am not asking you as a professional educator, professional teacher or anything—does your success rate at the school have any relationship to how early you get these kids. The kids that you get into this program, they are not all seniors in high school. Some of them are eighth-graders, some of them are—I mean, they are all grades, right?

Mr. BUNKLEY. They are different grades but I think as low as the fifth grade.

Senator BIDEN. Now do you think you have got better success if you get these kids when they are fifth-graders, or does it matter, or when they are 10th-graders, or does it make any difference? Is the success rate—success defined as mainstreaming back into school and going through the system.

Mr. BUNKLEY. I am not sure about the statistics at all, but my own personal opinion on it is the earlier we get to them, the better off we will be and the better chance we will have in getting them back on the right track.

One of the things that was said here today that I listened to was about this boot camp. I am retired from the Air Force. I strongly believe—I even told my oldest sons and I have got a 7-year-old now—that I believe all males, I said at one time, but now I would say all males and females should go through some kind of military training for at least 2 years. It puts a sharp edge on their life. They get to see what life is all about and can make a decision on how they want to go in life.

I do not get a chance to mingle, per se, with a lot of the children but I found, working with this program, that a lot of them, like a couple others have said, they are looking for a role model. A lot of times they do not have a father in the home. I have found out that in a lot of cases, if a male just comes up and says something to one of them and kind of interacts with them, their attitude changes.

Now a lot of them have not got the proper training in the home with attitudes; being courteous to themselves, being courteous to their peers. And I would say their morals, what I was brought up to be like when I was coming up as a child—some of the kids now say that I am old-fashioned, but I believe the old-fashioned ways work better.

Senator BIDEN. Let me end my questions of you with an anecdote. I was asked to go speak to a seventh-grade class in New Castle County at one of the middle schools. To make it clear, this school was probably 75 percent white, 25 percent black roughly; seventh-grade children.

A young girl who had gone to school with my daughter for 6 years transferred schools; a lovely child but not a very outgoing child, a very shy child. She told everyone in her class in this new school setting that she spent a lot of time over at Senator Biden's house. And all these other kids in this school thought, this is a kid who is just making this up and was trying to act like she was a big shot and ridiculed this child.

So when I got home from work one night my daughter asked me would I do a favor, would I go to Becky's school and speak to her class. I said, of course I would. That was my daughter's way of figuring out how I could indirectly confirm that Becky was not—and I go to schools a lot anyway.

It turns out as I showed up in this classroom, the teacher in the classroom was a classmate of mine, a woman I graduated from the University of Delaware with in 1965. We pulled all the desks around in a circle and I sat in one of the little desks and I answered questions for a period. And one child asked, do Senators and Presidents ever get mad, and I said yes. She said, sometimes I see on TV how these people fight all the time in these political campaigns they say such bad things about each other. I tried to explain that, which I still do not fully understand myself.

I said, you know how some days when you come home from school and you have had a bad day and you walk into your house and your mommy says, hi, honey, how are you? And you say, fine. Or your dog comes and jumps in your lap and you push the dog away. The dog did not do anything, your mommy did not do anything, you are just mad. You take it out on whoever is near you; sometimes the people you love. Trying to make a point.

I will not quote for the record what these kids then said; all very nice middle-class kids, maybe economically from lower middle class to slightly upper middle class. These kids sat there and said, let me tell you a story. They were trying to show that they knew what I meant. My mommy comes home and says, this f-ing thing and this thing. And another little girl says, my mommy came home and said, I am—I cannot even use the phraseology.

These kids were not trying to be smart. They were just repeating exactly what they heard in their home. There was no distinction between the white kids and the black kids. It did not make any difference in the school.

And this teacher looked at me—this is my point about school responsibility and too much thrust on them—what do I do? She just looked at me and went like this [indicating]. She knew to chastise those children was basically useless, because they were not doing it to be pejorative. Like in my era if we had said that, we would have done it for purposes of being pejorative. It was just like saying, my mommy came home and said I am disappointed in you. Same language, no different.

It is kind of astounding the additional burden that is placed upon—that society is asking, I think expecting much too much of Government if we think we are going to solve some of these really—I am not suggesting Government cannot do a lot. It can, and it can be positive and can do more.

But I will end by telling you that I recently spoke at a graduation here in the State. I worked very hard on the speech on civility. I think the single most serious thing lacking today in our society is a sense of civility; just plain common, old-fashioned decent good manners. I pointed out and quoted from an article that was recently written and made other observations.

But think about it, all of you who are adults in this room. When we were growing up in the 1950's and 1960's and 1940's, the idea that you would turn on the radio and the television and hear one company try to sell its product by telling you how bad another company was was unheard of. Today you turn on the national news and you will see brand X say, buy brand X because brand Y is bad. You turn on the television, you listen to political candidates call each other crooks and bums and whatever.

You listen to the social discourse that takes place—not our children, us—the social discourse and the way we speak to one another. The slang that we use, talking about dissing people. And we sit and wonder why our children react the way we do. The lack of civility—I will conclude by telling you that it has reached a point that worries me a great deal.

I have known personally six Presidents of the United States through the good graces of you Delawareans sitting in this room allowing me to be your Senator. I have sat in the Cabinet Room and the Oval Office with every one of those Presidents, the last 15 years more than the first 8 or 9 years, but at least 50 times. I suspect it is more than that. And I have never once, until recently, ever seen a U.S. Senator, a Congressperson, an ambassador, a head of state speak to or treat any one of those 6 Presidents with disrespect.

The President of the United States walks in the room, everyone stands up and says, good morning, Mr. President, or good afternoon. When the President sits down, everyone sits down, whether it was Richard Nixon, a man I did not admire, to others that I did admire.

I was in a meeting of the elected leadership of the U.S. Congress, the Speaker of the House, the majority leader, minority leader, et cetera, meeting with the President on a bill that I had introduced on terrorism. Remember all the debate you read about and newspapers covered about the so-called terrorism bill in the face of what happened in Oklahoma City. And there were two invited Senators who were not part of the so-called leadership who were there.

In the process of the discussion, the President explaining what he hoped would be accomplished by this bill and the monies to be made available to the State of Oklahoma to rebuild the building one particular person, an elected official, on at least four or five occasions interrupted the President of the United States in mid-sentence. Never once referred to him as President, never once called him sir, never once suggested anything other than a studied disrespect.

I sat and thought to myself, I am sitting in the Cabinet Room with the President of the United States of America—I do not care who he is—and another elected official of consequence is saying, whoa, wait a minute. Now we are going to do this, right? Fine, good. Not, I beg your pardon, Mr. President, but, Mr. President. I had never seen that before.

I thought of it—and it was after I made this speech at Poly Tech on civility. I thought, my Lord, here I am in what is probably the most—not probably, is the most powerful citadel of power in the world and an educated man is acting no differently than the kids that you are trying to straighten out coming from a deprived background on some occasions.

So, folks, I think I can write all the laws I want and take all the suggestions you have, but somehow we are going to have to take some personal responsibility along the line here. Somehow we are going to have to, as a people, do what Greg Sleet said, the U.S. attorney, and not just as it relates to criminal justice issues and violence. When someone treats and acts with disrespect towards someone else, the moral disapprobation of our small group should be imposed upon that person. Because if we do not, it is going to get a lot worst.

The thing that I thought I would leave you with here is that when I graduated from high school in 1961 we studied in our history and civics classes about the United States being a great melting pot; black, white, rich and poor, Asian, European, African, South American, et cetera. That was our strength we were told. But we were also told that melting pot really took effect at the turn of the century when Italians and Poles and Irish and Russian Jews and so on, everyone migrated to the United States.

I am here to tell you that which you already intuitively know, the melting is just beginning. By the year 2000 things will have changed so rapidly in the United States of America that, for example, there will be more Moslems than there are Jews in America, more Moslems than Episcopalians, than Lutherans in America; twice as many Hispanics as black. Those of us who are white, European stock will be, for the first time in the history of America, make up only 49 percent of the American population.

That can be our strength, but it also can be our weakness. If in the face of this incredible increased diversity that is taking place—there will be more Asian-Americans in the United States of America than any other minority population by the year 2020. If we do not learn to be more tolerant and civil with one another, with that kind of diversity we are in for deep trouble.

All the laws in the world we can pass federally, locally, municipally will not mean a hoot unless we are able to do what you said, sir. Unless we can start to raise our kids the way you were raised with this notion of respect. If you are older, you deserve more respect. If you are—and the list goes on. Basic decency and respect.

I think what we are seeing is a logical—I have spent a lot of time in this area. I have thought of all the reasons why these programs can work. But I also started thinking when I sat in that Cabinet Room and heard that person say to the President of the United States—by the way, everyone from Newt Gingrich to Joe Biden noticed it and every one of us were appalled by it. Sat there and like, I cannot believe this is happening.

Any of you go to the University of Delaware? Do any of you remember Dr. Paul Dolan in the political science department? He was the dean of that department. He died in an ice skating accident. He used to go down to the pond in the winter and skate by himself, and he fell through the ice and drowned.

I remember when John Kennedy came to cut the ribbon on I–95 by the Newark exit when I was a student and he was President. The next day in our newspaper The Review there was a picture of a bunch of students surrounding John Kennedy—thousands of people showed up for this. I was not there but a number of students were. And one of the people is a lawyer friend of mine in Sussex County now was in the picture, and it was in the winter and he had on a hat, a stocking cap and he was in the proximity of the President.

Dr. Dolan held up The Review and he said, I am proud all of you went down to see the President. But he said I am disappointed, and he picked out this one student in the small political science class I was in, a friend of mine and a good student and said, but—I will not mention his name—but, Charlie, why did you have your hat on in this picture. And he said, it was cold. He said, but you were standing next to the President of the United States of America.

He said, let me tell you a story. This is Dr. Dolan. My father, we are from south Philadelphia. We were raised as rock-ribbed Democrats and my father had a strong dislike for Warren G. Harding. And Warren G. Harding came to Philadelphia on Broad Street in a parade, and it was in the winter and he was in an open car, and we all went down to see him. We lined the street. I was a young kid and I sat on my father's shoulders and as Warren G. Harding, the President of the United States went by I could feel my father's hand come up and grab my hat off of my head as the President passed.

When the President passed he put me down and he was obviously displeased with me and I said, daddy, what did I do? He said, you did not remove your hat. He said, but, daddy, you do not like President Harding. And his father's response, according to Dr. Dolan was, son, that was not Mr. Harding that passed by, that was the United States of America.

Played golf with the President of the United States at his request a little while ago and I was at the Army-Navy Golf Club course, the Pentagon golf course. We were riding along in a golf cart the President and I, and mostly retired military officers are down there, or active officers. We went around a green—I have just started playing golf so I do not know much about it.

We went around an elevated green that sat up high and we started off to get to this other hole that we had to go to, and we went down and around. As we came up on the other side, apparently these four retired military officers, realizing that the President of the United States was in the golf cart, as we pulled around on the other side, as we got by every single one of them stood up, doffed their cap, and leaned down. I thought to myself, I wonder whether or not if it had been four 22-year-old officers or enlisted men whether they would have done the same. I hope they would have.

Folks, it is time for a little more respect and more civility.

I think that you all are doing one hell of a job. What I am going to do is send you some followup questions, if I may, and ask you whether or not over the period of the next 9 months you will be willing to meet with my staff as we try to figure out how to make the best use of these so-called prevention dollars that are coming into the State of Delaware, to be able to do the things that you all are, or augment the things that you are doing. If you would be willing to do that.

Thank you all again. It is a hot Saturday. You could all be someplace else better, but I appreciate your interest and concern. Thank you.

[Whereupon, at 1:40 p.m., the committee was adjourned.]

# NEW CASTLE COUNTY YOUTH VIOLENCE HEARING

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MONDAY, JULY 17, 1995

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
*Wilmington, DE.*

The committee met, pursuant to notice, at 8:33 a.m., in the Delaware Youth and Family Center, room 119, 1825 Faulkland Road, Wilmington, DE, Hon. Joseph R. Biden, Jr., presiding.

## OPENING STATEMENT OF HON. JOSEPH R. BIDEN, JR., A U.S. SENATOR FROM THE STATE OF DELAWARE

Senator BIDEN. Good morning everyone. Thank you very, very much for coming. My first request is an easy one. I am going to ask unanimous consent, and since Orrin Hatch is not here yet, and he may be coming up—he was going to try to come up to sit in on this—I am sure I will get unanimous consent since I am the only committee member here—to enter my full statement in the record, rather than take the time of the important witnesses we have here this morning.

[The prepared statement of Senator Biden follows:]

### PREPARED STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

### RECENT HEADLINES TELL THE STORY

An innocent 15-year-old Wilmington boy caught in the crossfire of two teenagers on bicycles wielding a sawed-off shotgun—

A homeless man beaten senseless by four young boys right next to the state office building in downtown Wilmington—

A 16-year-old boy charged in the shot-gun murder of a Wilmington gun store owner—

A 16-year-old Dover youth arrested in the fatal stabbing of a 17-year-old West Dover girl.

And violence engulfs our young people not only on the streets—they are now threatened in our schools as well.

In fact, a study by the University of Delaware released last week found that school discipline and crime are among Delawarean's number one concerns.

Police are now an all-too frequent sight in our schools, replacing student hall monitors. Most of us would welcome metal detectors at all school entrances!

Consider the recent events in a one-week period in a Sussex County High School:

One boy slammed another to a hallway floor, knocking the victim unconscious in a dispute over a magazine.

Three boys allegedly punched and kicked another student in a bathroom—leaving the victim with broken facial bones.

A girl stabbed a boy with a nail file after they argued in a classroom.

In the last six years (from 1987 to 1993), the number of crimes committed by juveniles in Delaware jumped 50 percent.

These crimes include murder, manslaughter, forcible rape, aggravated assault, robbery, drug offenses, burglary, and arson.

And there is nothing unique about out State—Delaware's increased juvenile crime rate mirrors that of the nation.

Recent statistics released by the F.B.I. show that in the last decade, juvenile murder arrests jumped 168 percent—168 percent!

Similarly, the number of children ages 14 to 17 who were the victims of homicide jumped 133 percent—133 percent!

In 1993, more than a quarter—28 percent—of juvenile homicide victims were killed by another juvenile.

And this is just the start. Because of the "Baby Boomerang," in 10 years there will be 23 percent more 15 to 19-year-olds—the most violence-prone age group in society.

So there is real urgency about getting a handle on how to prevent the next generation of youth from becoming new crime statistics.

Of course, it is also important to put these statistics in context—

First, juveniles account for just over 17 percent of all criminal arrests in America.

Second, only a small percentage of juveniles commit serious crimes. Studies indicate that about 6 percent of juveniles are responsible for more than 50 percent of serious crime committed by juveniles.

Today, at these hearings, I hope we can bring into sharper focus the picture of youth violence in Delaware and what we can do to improve that picture.

I welcome everyone here today. Your presence means you care deeply about our children and finding ways to avoid losing them to crime.

You care not only about the problem of juvenile violence—about which we hear a lot today—but also about the answers to that problem—about which we hear far too little.

I believe the 1994 Crime Law signed by President Clinton last September is a gaint step forward in our efforts to reduce and prevent youth violence.

It is tough on those who are violent and at the same time offers hope to those at-risk.

The new law puts 100,000 new cops on our streets and in our communities to help prevent crime, forge partnerships with neighborhood youths, and catch those commiting crime swiftly.

Delaware has already received funds to hire about 60 new community police officers.

The law also provides Delaware and other States with Federal funds to help build juvenile jails for the most violent young offenders, and to expand alternative detention options to help less serious offenders turn their lives around.

Finally, the Crime Law recognizes, for the first time on the Federal level, that prevention efforts—particularly those aimed at children—are an essential, and in the long run the most economical, means of fighting crime.

Over the years, I found that when I asked police officers what they needed most, they all told me the same thing—officers like Colonel Gordon of the New Castle County police said:

We need after-school, educational and recreational programs—constructive, activities to keep children and teenagers safe and busy, off the streets, and away from lure and danger of drugs and crime.

They told us that prevention would make the best possible beginning toward reducing the crime in any community.

Now, my first priority this year is to protect the downpayment made to the police and the children by the 1994 Crime Law. These programs are now under attack by some in Congress, but I will fight any retreat because we need to build on this downpayment, not tear it down.

We all know that many complicated risk factors contribute to violent behavior among children and teenagers.

As the chart here shows, there are numerous community, family, school and peer factors that are contributing to the increase in youth violence.

First, we know from studies that children who grow up without adequate supervision at home are more likely to engage in criminal acts—seventy percent of children incarcerated in long-term juvenile facilities lived in single-parent households.

Second, we know that drugs accelerate the juvenile crime rate. The highest juvenile crime rates are among youth who use cocaine. And marijuana use is making an alarming comeback among our Nation's youth.

Third, we know that guns exacerbate the problem. In Delaware, the number of juveniles charged with weapons possession offenses doubled in the last 7 years—from 56 to 111.

According to a Justice Department Report issued this past week, guns—including semi-automatic weapons—are now easily obtained and used by children.

Fourth, we know that violent behavior is learned. Children who witness abuse at home or suffer abuse themselves are at a greater risk of becoming violent later in life.

We also have to examine what our children are watching on television and in movies. Today, I hope to hear your thoughts on proposals now before Congress——

That would require television makers to install a computer chip—it's called A "V-chip" and the "V" is for "violence."

Such a device, which would be encoded by broadcasters, would enable parents to block their children from watching violent programs.

What else do we know about youth violence? One important thing we know is that children who do poorly in school or who drop out are among the more likely to become criminals—

So we have to find ways to keep more kids in school, and to give them quality education and the kind of encouragement they need to find constructive alternatives to crime on which they can build happy and productive lives.

I look forward to an informative, discussion with all of you today on these risk factors, and how government, police, school, church, and community officials can work together to save our children.

Programs here in Delaware—like the ones featured in the "Catalogue of Hope" which the Senate Judiciary Committee released last year—are making a difference in the lives of our children.

Admittedly, nothing will take the place of the traditional two-parent family, and we need to do everything we can to help such families survive;

But we can also cultivate alternative role models in the community—other family members, teachers, counselors and coaches, community police officers.

The American Psychological Association recently reported on research which shows that we, as a society—families, schools, mass media, community and religious organizations—

Can intervene, effectively, in the lives of children to reduce or prevent their involvement in violent behavior.

In my view, early intervention and prevention programs are an investment we can't afford not to make.

Relatively speaking, the cost of prevention programs is modest, especially when compared to the $70,000 per year it costs to incarcerate a juvenile in a Delaware detention facility for one year.

The commitment we make toward preventing and reducing youth crime today will define us as a nation tomorrow.

We must commit ourselves, as a nation and as individuals, to making violence unacceptable to our society, unappealing to our youth, and unrewarding to those who violate our choice for safe, drug-free homes, schools and neighborhoods.

I look forward to listening to all of your comments and suggestions today on how to do what we know must be done to address the problem of your violence—redouble our efforts for our children.

Senator BIDEN. I will make a few very, very brief introductory comments.

We, in Washington, always pay lip service to the fact that we look to the States and localities for input on what we should and should not be involved in.

Unfortunately, many times, that is more hortatory than it is factual. But the truth of the matter is, the last three attempts, both on the part of the bipartisan efforts, on the part of the Senate Judiciary Committee on Crime and Drug Strategy, as well as the overall crime bill, the bulk of that legislation was written as a consequence of local consultation with outside and national experts giving their input.

But primarily, going back to the States and localities and saying, OK, this all sounds good, theoretically, but how does it work? Is it working?

And that is why over the past 7 or 8 years, there have been so many field hearings we have held throughout the United States. We now are in the phase where, although the crime bill is now no longer the Biden crime bill, it is now the Federal Crime Law, and some aspects of it are well underway and working—for example, the way the crime bill was written, my intention was to deal with what—and I may have been mistaken—but what I believe to be first things first, and that is, get more cops out on the street.

So of the three major components of the crime bill, the crime law, now, the first component was to get as many community police out on the street as possible, both for purposes of prevention as well as apprehension.

The second phase of the funding was not to kick in until this coming fiscal year, and that relates to the prisons, from boot camps to hardcore cells to be built, straight through to efforts to deal with trying to get ahead of the curve.

And one of the things we have to get ahead of the curve on is youth violence in America.

I have a distinguished panel before me, and I am not being solicitous when I say that. Five people who have had considerable professional experience in dealing with the problem that I would like to discuss this morning, make a record and share with my colleagues in Washington.

And that is, I can remember when Larry Sullivan—I do not think he is any older, but he has been around a little longer than I have. Not much, though.

I remember, when I was a public defender, the most violent offenders that we had—this is anecdotal, I have no statistics to demonstrate this. The most violent offenders I was assigned to represent in those few murder cases that were in family court, and first-degree rape cases, and aggravated assault, tended to be the kids where we used to call them competency hearings—I don't now know what you call them anymore—where the kid was 17 and 18 years old.

Seldom would we ever have anybody 13, 14, or 15 years old.

Back in 1970, in the State of Delaware, the only thing that was certain to get you jail time—certain to get you jail time was to be carrying a concealed and deadly weapon. That was the only thing.

Whenever you got assigned a case—and all these cases were assignments—if you had a carrying a concealed and deadly weapon case, you knew you had better get a plea quickly, but even then it was not going to help you because there would be some jail time.

But today, you do not have to go to Newark, NJ, which we were talking about here a moment ago, you do not have to go to Washington, DC, Houston, TX. You can go right here, in Delaware, and just read the headlines in our newspaper about teenagers who are engaged in violence with the use of 9 mm weapons.

And we will discuss this a little bit later. But these weapons, three of which we are going to talk about today, and I will be told by our law enforcement agencies—these weapons are actually used by young teens in the commission of crimes.

This is not a gun show we have up here. This is a show of force where crimes were committed using these weapons. And the thing that is different, and the thing that has most of America somewhat perplexed, is that—and we all know it from our own experience—is that instead of that being the 18-, 19-, 17-, 20-year-old, we are talking about 13-year-olds, 14-year-olds, 15-year-olds.

Now, again, this is like preaching to the choir, talking to the five people who are before me today.

I do not mean it as an assertion of what we should do, but as an illustration to the public at large, that knows intuitively, that although you can look at the crime statistics, and the good news is violent crime this year is down in almost every major city in the United States of America, it would be an exaggeration to say that the additional police put in the street have impacted on that.

I am not claiming that. I do not know that yet. I suspect the statistics will show that as we move on.

But what has not happened is that there has not been a diminution of violent offenses on the part of juveniles, younger and younger juveniles.

You see more vicious and more random violence on the part of juveniles, and quite frankly, as I go around the State, and I suspect our five witnesses, and others today, would probably find the same experience—whether it is true or not—and I think it is true—there is a distinct feeling on the part of the people of the State of Delaware, and the Nation, that they are less secure today than they were, notwithstanding what the crime statistics are.

And secondly, that in my experience, what I have found is that people intuitively know that sanctions seem to have less impact the younger a child is, the younger a person is.

Someone 35 years old has a little more appreciation of the potential consequences of what they are about to do. Someone 16 years old figures they will never get caught; it is never going to affect them.

And so there seems to be, in national data, little relationship between the severity of the sentence and the occurrence of the crime.

There does seem to be—again, it is anecdotal, from Rand and other outfits doing these studies—that there does seem to be some evidence that if you are able to move quickly, swiftly, and surely, the first time a young person is within the system, you have a better chance of affecting future behavior than even by the severity of the sentence, if it is the third or fourth, or fifth, or sixth time down the road.

Another thing that we need to find out much more about—and I am going to be asking about today—is there is mounting evidence—again, I have just started these hearings, so I am not suggesting I have evidence from other local and statewide officials in other States.

But if you read the studies and the literature, there is a mounting consensus that aftercare, if you will, following up on these young men, primarily, although increasingly young women, is even more important, and may be the most important part of the process.

That we have begun to learn that—it took us 15 years to learn that about drugs—and we are now beginning to, at least the literature is suggesting, that that is the case with violent juvenile behavior.

I do not pretend to know. I do not know anybody who does know all of the reasons for this. We can cite some obvious things, from the breakdown of the family to the just general total lack of civility that exists today in our society.

Before I came over this morning, I was watching one of the news shows, and there was an ad by MCI, or AT&T with MCI. It looked like a political commercial. You have one attacking the other.

Meg Greenfield, an editor for the Washington Post, was making a statement in an article she wrote for Newsweek, and she says, "Think back to your youth." And those of you who are old enough to have to think back to a youth, like me.

And in the 1950's and in the 1960's, and even the 1970's, you would never see a Fortune 500 company advertise their product by telling you how bad another Fortune 500 company is.

Well, I think it is a reflection of—this is purely personal, I have no evidence of this—but this diminishment of civility, across the board, just plain old good manners. They hardly exist, whether it is corporate America or whether it is political campaigns, or whether it is personal relationships.

And so I am not really surprised that we find this incredibly—and it seems to be escalating—disrespect. It is our honor to have the former principal of Newark High School here, and there are other educators here in the room who know more about this than I do—but you see it in our schools. Just the way people talk to one another.

Just the way students talk to teachers. And not, quote, "bad students." Not the violent students.

And so I do not know what all the reasons are, and that is, ultimately, it is going to take a wiser person than me to figure them out—but in the meantime, I do know what some of the consequences are of this breakdown in civility and violence among young people, younger and younger.

In the State of Delaware, we have an increase in violent offenses.

As I was driving up, a fellow named Bob Cunningham drove me up this morning, and Bob and I were candidates for public office together in 1970 for the county council. I ran in this district. I represented where we are sitting now.

And one of the big issues was Ferris School in this district, in 1970. And Bob ran up in the Brandywine-Hunter District, and being a member of my party, you know he did not serve. But having said that, Bob made an interesting observation.

He said, You know, for so many years you would ride by this institution and there was no change at all, in its physical makeup. And all of a sudden—all of a sudden it has mushroomed.

Now, this is a beautiful facility. It is a shame we have to have the facility; but it is a beautiful facility we are sitting in.

Something has happened over the years, and we have got to get ahold of it, somehow. And again, I want to make it clear: I do not believe the answers reside in Washington.

I do not believe that out of this we are going to come with some silver bullet that is going to produce any fundamental change in youth violence in America.

But I do think there is a potential at least, upon the advice of local officials, to be able to actually begin to be a help rather than a hindrance.

We know, for example, that children who grow up without adequate supervision at home are more likely to engage in criminal acts.

I mean, our mothers and fathers could tell us that. Seventy percent of all the children incarcerated in long-term juvenile facilities live in single family households. The evidence also shows it does not mean that single parents cannot raise a child.

What it means is, in this complicated world, when you only have one person trying to supervise a child, it is a whole hell of a lot harder than having two people supervise a child.

The second thing is, we know that drugs accelerate the juvenile crime rate, particularly among those who consume cocaine, wherein the most violent acts follow.

Third, we know that guns exacerbate the problem.

You know, I remember back when Tom Gordon and Guy Sapp were just young officers, and the big argument was "Saturday night specials."

God, give me "Saturday night specials" instead of a 9 mm. I mean, would not every cop you have working for you, or had working for you, pray for the day that the big issue is "Saturday night specials" instead of 9 mm weapons, which as the head of the Einstein Emergency Unit said, "Senator, the reason why more people are dying is not that that many more are being shot, they are; but I can remove a 22-caliber bullet from a lung of a person, but a 9 mm bullet will blow the lung out of the body. Therefore, I have nothing to repair."

A lot has changed. Guns exacerbate the problem. And I might make it clear that the vast majority of gun owners, the vast majority of people who own guns own them lawfully, legally, and use them properly. But there is still a problem.

And fourth, we know that violent behavior is learned. Children who witness abuse at home, suffer abuse themselves, and are at a greater risk of becoming violent in their adulthood.

We also have to examine what our children are watching on television and in the movies, and I hope that if you—although I know it is not the expertise per se of any one of the witnesses today—but I have been talking about, in the Judiciary Committee, for 5 years now, the so-called V-chip.

I do not view that as censorship. I view that as a means of aiding a parent in enhancing their potential to be responsible.

Those of you who have children, no matter how hard you work at it, try to keep them away from those 50 or 60 channels with the remote, and three televisions in most houses, and two televisions in most houses, even in the poorest households in the community. It is quite a chore. It is quite a chore, and you have to have a program to know the players. You turn on some of this stuff, and it is kind of amazing when you look at it.

So there are a lot of things that we know. There are many more that we do not know. But one thing I do know is our first five witnesses today are people who have a significant amount of experience.

Our first witness is Col. Thomas Gordon. He is the New Castle County police chief. He has been instrumental in working with young people.

I have had the occasion, over the years, actually—so as full disclosure here—he and I go back more years than—well, we go back to when I had hair and he had even more, and to the time when he was a high school student.

And Guy Sapp, the director of Division of Rehabilitative Services, one of the finest chiefs the city of Wilmington ever had. He brings a dual perspective to these hearings, as a police officer arresting juvenile offenders, and now trying to help them straighten out their lives, not that he was not trying to do that in the first instance, but the shift in responsibility is slightly different.

And Delaware Attorney General Jane Brady, who has been involved in law enforcement and prosecution, and with 15 years of experience prosecuting in every county, and now heading up the entire operation, and who has some very strong views, and well-thought out views on youth violence.

And Larry Sullivan, who even more, possibly, than Chief Judge Poppiti, probably has more experience than all of us. Not probably. He does have more experience than all of us in dealing with, on the other side of the equation, with young violent offenders, and someone who has been steadfast in times when people were wondering why do we need to have such an organization.

And it is a vital link in our criminal justice system, and as I said, he has a vast amount of experience.

And Family Court Chief Judge Vincent Poppiti, who was appointed to the position in 1992. Prior to that, he served as a family and superior court judge, and I might add, has been tapped by the President, along with about 45 to 48 other people to implement the violence against women legislation, nationally.

And I must say that I think maybe he even had to be impressed, the company he was in. There were more nationally known figures dealing with the issue of domestic violence. I think if you were going to catalogue a Who's Who in that area of the Nation, they were all there.

And he was appointed to that commission on Thursday last, I think, or Friday. I cannot recall. The end of last week.

And so I am delighted you are all here. Why do I not begin by inviting General Brady to begin. If you have any opening statements, I would welcome it, and then Larry Sullivan, and Judge Poppiti, and Colonel Gordon, and Guy Sapp. OK?

Welcome, General.

## STATEMENT OF JANE BRADY, ATTORNEY GENERAL OF THE STATE OF DELAWARE

Ms. BRADY. Thank you, Senator.

I want to thank the Senate Judiciary Committee for the opportunity to speak today about the crime issue that every one of us in the law enforcement community is most concerned, and that is violent juvenile offenders.

While my qualifications and experience are generally known to you, Senator Biden, I would like to relate them for the record.

In a State in which the attorney general is responsible for the prosecution of criminal offenders, I was a criminal prosecutor for 12½ years. I served under three Attorneys General here in Delaware.

I worked in all three counties, prosecuted in every court in the State, including family court, and served as chief prosecutor in Sussex County for 3 years.

I entered private practice in 1991, and found that the skills that had served me to help victims of crime made me well-suited to engage in the practice of family law.

I dealt primarily with the civil aspects which adults and children who are victims of domestic violence face as consequences of their victimization—divorce, custody, foster care placement, child support, termination of parental rights.

I came to have a new understanding of the total impact of crime on families in Delaware.

In a strictly limited view of a prosecutor's responsibilities, it does not really matter why crime is committed. We need not prove motive in order to convict.

But I would be remiss in my responsibilities to my constituents, and to the public policy aspect of my duties as the chief law enforcement officer in the State, if I did not look at the issue of why crime occurs, and what can be done to protect innocent victims from being victimized.

If we do not address the issue of crime prevention, we fail to consider the significance of the impact of crime on the individual victims and the communities in which they live.

It has become clear, both in my experience, and as reflected by statistics, that those who are offenders were often victimized as children. It is, therefore, equally clear to me, that if we act to prevent the victimization of children, we will be acting to prevent crime.

We do not have to look far to find evidence of the recent trends about which other speakers have referred in their testimony before you on Saturday. On the streets of our towns in Delaware, there is violent crime committed by juveniles who terrorize their neighbors and other children in their communities.

In a recent incident, a 7-year-old was involved in the violent beating of a homeless man right here in Delaware, and I was informed this morning that that individual has died, and we have a 7-year-old facing a potential of a homicide charge.

We have to look no further, though, to find the causes. Is it the prevalence of violence in the media, which exhibits for all to see perverse and predatory conduct, and exposes children to ideas that even grown men never contemplated in their lifetime in previous generations?

Is it the breakdown of the family, leaving children without a sound understanding of the concepts of right and wrong, of responsibility and accountability?

Is it that Government, by claiming it can do so much to solve the ills of society, has created a generation, now parents, who expect it to do just that, and therefore, have no inclination, let alone an understanding of how to do it themselves?

Is it the glamour with which violence is displayed in the media as a means of resource against those who have wronged you?

All those may be contributing factors, but many of us are exposed to the same media, the same Government perspective, the separation and divorce of parents, who do not choose crime as a lifestyle.

I think the cause is much closer to home. In fact I believe the causes start in the home in far too many instances.

Too many of the cases in our office involve the tragic victimization of children. These kids are not statistics to me or my fellow prosecutors. They are real children, some of whom never had a chance. They are sometimes harmed by strangers, but all too often they are harmed by their parents, step-parents, other relatives, and neighbors.

The greatest pain that I ever felt as a prosecutor was when I looked in the eyes of victimized children and saw the lack of self-esteem, the lack of trust in others, and in their own sense of judgment.

I do not subscribe that Government belongs in much of our lives, and I do not believe it can do a better job than we, as individuals, as families, and as neighbors can do.

But I believe that when Government becomes aware that there is a kid in trouble out there, that is, that those with the responsibility to do so are not caring for the child, it has an obligation to act.

We have to look even further, however, to try and determine what the solutions are to the problem of violent juvenile offenders.

I say "solutions" because I do not believe there is a single answer. We need to take different action with regard to different circumstances and different offenders.

There are two aspects in which I have begun to address this issue.

As a prosecutor, I saw violent juvenile offenders who did not know how to be good. They had never learned. And yet, time after time, when they were released on bail, or after they were released from Ferris, they were returned home to the environment in which they were neglected, not supervised, and often had previously been victimized.

I came to realize, even in those matters I handled in private practice, that some aspect of Government was often involved in most of these juveniles' lives, the offenders or victims in the criminal jurisdiction, and either by virtue of child protective services, or custody and visitation matters within the civil jurisdiction.

In short and quick succession, after I took office, I took a number of steps to try and help reduce the victimization of children, and made that effort a major objective of my administration.

In the criminal division, I placed a 14 year veteran criminal prosecutor in charge of the criminal division attorneys assigned to Family Court. His presence there has already made a difference, and the court has noticed and appreciated his efforts.

I formed a committee to evaluate how we are dealing internally with those cases involving juvenile victims.

To help get that committee get an understanding of the big picture, I asked for statistics regarding the victimization of children. Some of those statistics were received just about 10 days ago, and the numbers were staggering.

Of 178 offenders arrested for first degree unlawful sexual intercourse from June 1993 to June 1994, 123 of them victimized juveniles.

Senator BIDEN. Say that again, please.

Ms. BRADY. Of 178 offenders arrested for first degree rape——

Senator BIDEN. Are these adults?

Ms. BRADY. These are all the offenders.

Senator BIDEN. All offenders.

Ms. BRADY. Adult and juveniles. We know many times juveniles——

Senator BIDEN. Right; yes.

Ms. BRADY. Of the 178 offenders—I did not have a breakdown available, juvenile-adult—arrested for first degree rape, in a 1-year period, June 1993 through June 1994—July 1 through June 30—123 of them victimized juveniles.

Senator BIDEN. Wow.

Ms. BRADY. I have requested grant monies to provide better-trained individuals to serve juvenile victims, some of it from the funds available under the Violence Against Women Act, to specifically help girls, who are so frequently victimized.

In the civil division, I formed a committee comprised of a deputy assigned to prosecute in family court, a deputy assigned to Family Services, a representative of family court, and members of the staff at Family Services.

My office randomly elected cases in which juveniles were victims, and have asked Family Services, the agency responsible for the protection of juveniles from abuse, to look at those cases and determine in what fashion they responded in each of those cases.

I hope to determine if there is need to change the statutory mandate to the agency. They often terminate their involvement in the home upon the arrests of an offender, because once the offender is removed, the child is no longer at risk.

Or to provide some information that will allow the agency to make an assessment of their policies.

Finally, I believe we need to treat violent juvenile offenders appropriately. I agree with number one up there, very much that relatively few children are responsible for the bulk of serious violent juvenile crime, similar to adult offenders who primarily account for a great deal of our loss of sense of security.

While I regret the fact, there are simply some juvenile offenders who present such a risk to the public, that they no longer should be afforded the special protections of the juvenile court system. Rather, the public should be protected from them.

Many times, the length of time for which the family court may, by its authority, confine a juvenile offender, is simply not sufficient to reflect the severity of the crime or the violent nature of the offender, and the risk they present to us.

I have, therefore, proposed legislation to treat repeat and violent juvenile offenders as adults at a younger age than we currently do now, and to expand those crimes for which the presumption is that they should be tried as adults.

I have attached a copy of that legislation to the text of my comments.

Three pieces of this legislative package were introduced into and passed by the Delaware legislature this session.

One of these would allow the joint trial of any related charges with those charges within the exclusive jurisdiction of the adult trial court.

This saves the delay and expense of a hearing to determine which court should hold the trial of those related charges.

Another would put the attempts to commit those offenses now in the exclusive jurisdiction of the adult trial court within the jurisdiction of that court as well.

The third would codify case law in Delaware, that once a juvenile is found to warrant trial as an adult, that juvenile will always subsequently be tried as an adult.

It may be that some of these efforts will help to identify successful ways to deal with juveniles who act violently, or, even better, to identify ways we can, when made aware that a child is not in a safe environment, respond to help reduce the trauma those children suffer, and to thereby reduce the potential for future criminal behavior by those juveniles.

I wanted to read just one portion of the synopsis of the legislation which is attached to my comments.

Delawareans need to be protected from violent and juvenile criminals, and by allowing for the prosecutor of certain serious juvenile crimes in superior court.

> The existing laws which determine whether a juvenile will be prosecuted in family court or superior court were written in the 1950s and are no longer adequate to meet the best interests of society and many juvenile offenders.

Because the family court can only retain jurisdiction over juvenile offenders until they turn 18—or, in some instances, now, in our State, until 21—which has had an ironic effect, actually, on our ability to get juveniles treated as adults, because they now have an extended jurisdiction and the focus is so primarily on what more can we do as opposed to—I think a better focus is, What have we done that has not worked? and, Should we save our limited resources for people we really can help?

We are finding that people who would otherwise be in the adult court are staying in the family court.

Because in most cases the court does not have authority to order that a convicted defendant be sentenced for a definite period of time—we have entirely indefinite sentences to juveniles—the existing laws do not sufficiently protect Delawareans from violent juvenile offenders.

Additionally, the family court is forced by our current system to expend scarce rehabilitative resources on repeat offenders who have clearly rejected these efforts.

Our bills address these problems by reducing, and in some cases, eliminating the barriers to prosecuting violent juvenile offenders in superior court.

Currently, a juvenile must be 16 before the State can ask the family court to transfer his or her case to superior court.

The bill would lower that age to 14. Additionally, the bill would automatically give the superior court original jurisdiction over any juvenile over the age of 16 who is charged with certain violent offenses, including assault in the first degree, robbery in the first degree which requires a weapon or serious physical injury, arson first degree, burglary first degree, which is burglary of a residence with a weapon or serious physical injury, or death; unlawful sexual penetration in the first degree, and trafficking in illegal drugs.

Under our existing laws, superior court already has jurisdiction of murder in the first degree, rape first degree, second degree, and kidnapping first degree, and with the law that just passed, if the Governor signs it, the attempts to commit those crimes would also now be in superior court.

The bill would also require family court to consider transferring to superior court any juvenile over 16 who is charged with manslaughter, kidnapping in the second degree, burglary in the second degree, racketeering or assault in a detention facility.

Repeat juvenile offenders are also addressed by this legislation. With this bill, any juvenile older than 16 with two prior felony adjudications in the family court, who is then charged with a subsequent felony, will be prosecuted in the superior court, as well as any juvenile who has previously been sentenced to a mandatory provision under the family court rules.

That is kind of a "three strikes and you are out" provision.

Finally, any juvenile who has previously been prosecuted in the superior court, and who thereafter commits another crime, will automatically be prosecuted in the superior court.

As I said in my comments earlier, that codifies our current case law in Delaware.

They are my comments. I appreciate the opportunity and I do have copies of the draft legislation attached to my statement.

[The statement of General Brady follows:]

### PREPARED STATEMENT OF JANE BRADY

I want to thank the members of the Senate Judiciary Committee for the opportunity to speak today about the crime issue that has every one of us in the law enforcement community most concerned—violent juvenile offenders.

While my qualifications and experience are generally known to you, Senator Biden, I would like to relate them for the record. In a state in which the Attorney General is responsible for the prosecution of criminal offenders, I was a criminal prosecutor for 12½ years. I served under three Attorneys General here in Delaware. I worked in all three counties, prosecuted in every court in the State, including Family Court, and served as Chief Prosecutor in Sussex County for three years. I entered private practice in 1991, where I found that the skills that had served me to help victims of crime, made me well-suited to engage in the practice of family law. I dealt primarily with the civil aspects which adults and children who are victims of domestic violence face as consequences of their victimization—divorce, custody, foster care placement, child support, termination of parental rights. I came to have a new understanding of the total impact of crime on the families of Delaware.

In a strictly limited view of a prosecutor's responsibilities, it really doesn't matter why crime is committed—we need not prove motive in order to convict. But, I would be remiss in my responsibilities to my constituents, and to the public policy aspect of my duties as the chief law enforcement officer in the State, if I did not look at the issue of why crime occurs, an what can be done to protect innocent citizens from being victimized. If we do not address the issue of crime prevention, we fail to consider the significance of the impact of crime on the individual victims and the communities in which they live.

It has become clear, both in my experience, and as reflected in the statistics, that those who are offenders were often victimized as children. It is, therefore, equally clear to me that if we act to prevent victimization of children, we will be acting to prevent crime.

We don't have to look far to find the evidence of the recent trends about which other speakers have referred in testimony before Senator Biden on Saturday—on the streets of our towns in Delaware, there is violent crime committed by juveniles who terrorize their neighbors and other children in their communities. In a recent incident, a seven year old was involved in the violent beating of a homeless man right here in Delaware.

We have to look further to find the causes, however. Is it the prevelance of violence in the media, which exhibits for all to see, perverse and predatory conduct and exposes children to ideas that even grown men never contemplated in their lifetime in previous generations? Is it the breakdown of the family—leaving children without a sound understanding of the concepts of right and wrong, of responsibility and accountability? Is it that government, by claiming it can do so much to solve the ills of society, has created a generation, now parents, who expect it to do just that, and therefore have no inclination, let alone an understanding of how, to do it themselves? Is it the glamour with which violence is displayed in the media as a means of recourse against those who have wronged you?

All those may be contributing factors, but many of us are exposed to the same media, the same government perspective, the separation and divorce of parents, who do not choose crime as a lifestyle.

I think the cause is much closer to home—in fact, I believe the causes start in the home in far too many instances.

Too many of the cases in our office involve the tragic victimization of children. These kids aren't statistics to me or my fellow prosecutors, they are real children—some of whom never had a chance. They are sometimes harmed by strangers, but all too often they are harmed by their parents, step-parents, other relatives, and neighbors.

The greatest pain I would feel as a prosecutor was when I looked in the eyes of victimized children—and saw the lack of self esteem, and the lack of trust in others and in their own sense of judgment.

I don't subscribe that government belongs in much of our lives, and don't believe it can do a better job than we, as individuals, as families and as neighbors, can do. But I do believe that when government becomes aware that there's a kid in trouble out there; that is, those with the responsibility to do so are not caring for the child, it has an obligation to act.

We have to look even further, however, to try to determine what the answers are to the problem of violent juvenile offenders. I say answers because I do not believe there is a single answer—we need to take different action with regard to different offenders and circumstances.

There are two aspects in which I have begun to address the issue.

As a procesutor, I saw violent juvenile offenders who didn't know how to be good—they'd never learned. And yet, time after time, when they were released on bail, or after they were released from Ferris, they were returned home—to the environment in which they were neglected, not supervised, and often had previously been victimized.

I came to realize, even in those matters I handled in private practice, that some aspect of government was often involved in most these juveniles' lives—the offenders or victims in the criminal jurisdiction—and either by virtue of child protective services or custody and visitation issues, within the civil jurisdiction.

In short and quick succession, after I took office, I took a number of steps to try to help reduce the victimization of children, and made that effort a major objective of my administration;

In the criminal division, I placed a 14 year veteran criminal prosecutor in charge of the criminal division attorneys assigned to the Family Court unit. His presence there has already made a difference, and the Court has noticed and appreciated his efforts. I formed a committee to evaluate how we are dealing internally with those cases involving juvenile victims. To help that committee get an understanding of the big picture, I asked for statistics regarding the victimization of children. Some of those statistics were received just about 10 days ago, and the numbers were staggering. Of 178 offenders arrested for first degree unlawful sexual intercourse from June 1993 to June 1994, 123 of them victimized juveniles. I have requested grant monies to provide better trained individuals to serve juvenile victims, some of it from the funds available under the Violence Against Women Act, to specifically help girls—who are so frequently victimized.

In the civil division, I formed a committee comprised of a Deputy assigned to prosecute in Family Court, a Deputy assigned to Family Services, a representative of Family Court, and members of the staff at Family Services. My office randomly selected cases in which juveniles were victims and have asked Family Services, the agency responsible for the protection of juveniles from abuse, to look at those cases and determine in what fashion they responded in each of those cases. I hope to determine if there is a need to change the statutory mandate to the agency—they often terminate their involvement in the home upon the arrest of an offender, because the offender is removed, and the child is therefore no longer at risk—or to provide some information that will allow the agency to make an assessment of their policies.

Finally, I believe we need to treat violent juvenile offenders appropriately. While I regret the fact, there are simply some juvenile offenders who present such a risk to the public that they no longer should be afforded the special protections of the juvenile court system, rather, the public should be protected from them. Many times the length of time for which the Family Court may, by its authority, confine a juvenile offender is simply not sufficient to reflect the severity of the crime or the violent nature of the offender and the risk they present to us. I have, therefore, proposed legislation to treat repeat and violent juvenile offenders as adults at a younger age than we currently do now, and to expand those crimes for which the presumption is that they should be tried as adults. I have attached a copy of that legislation to the text of my comments. Three pieces of this legislative package were introduced into, and passed by, the Delaware legislature this session. One of these would allow the joint trial of any related charges with those charges within the exclusive jurisdiction of the adult trial court. This saves the delay and expense of a hearing to determine which could should hold the trial of those related charges. Another would put the attempts to commit those offenses now in the exclusive jurisdiction of the adult trial court within the jurisdiction of that court as well. The third would codify case law in Delaware that once a juvenile is found to warrant trial as an adult, that juvenile will always subsequently be tried as an adult.

It may be that some of these efforts will help to identify successful ways to deal with juveniles who act violently, or, even better, to identify ways we can, when made aware that a child is not in a safe environment, respond to help reduce the trauma those children suffer, and to thereby reduce the potential for future criminal behavior by those juveniles.

## AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY JUVENILES—DRAFT

*Be it enacted by the General Assembly of the State of Delaware.*

Section 1. Amend Section 921(2)a. of Title 10 of the Delaware Code by striking said paragraph in its entirety and by replacing it with a new paragraph (2)a. to read as follows:

"(2)a. Any child charged in this State with delinquency by having committed any act or violation of any laws of this State or any subdivision thereof, except:

1. any child charged with any offense set forth in section 1010(a)(1) of this Title; or,
2. any child who has reached his 16th birthday who is thereafter charged with any violation of Title 21, or with any offense set forth in section 1010(a)(3) of this Title; or,
3. any child charged as provided in Section 927 of this Title; or,
4. any child charged with any other crime over which the General Assembly has granted or may grant jurisdiction to another court."

Section 2. Amend Section 921(2)(b). of Title 10 of the Delaware Code by striking the phrase "16th birthday" as it appears in the first sentence of said paragraph, and by substituting in lieu thereof the phrase "14th birthday", and by striking the phrase "murder in the second degree, manslaughter, robbery in the first degree or second, attempted murder (first or second degree), burglary in the first degree or arson in the first degree;" as it appears in the first sentence of said paragraph, and by substituting in lieu thereof the following: "manslaughter, kidnapping second degree, burglary second degree, racketeering, or assault in a detention facility;"

Section 3. Amend Section 1010(a)(2) of Title 10 of the Delaware Code by striking the phrase "16th birthday" as it appears in said paragraph, and by substituting in lieu thereof the phrase "14th birthday".

Section 4. Amend Section 1010(a)(3) of Title of the Delaware Code by redesignating said paragraph as paragraph "(4)" and by adding thereto a new paragraph (3) to read as follows: "(3) The child has reached his or her sixteenth birthday, and the acts alleged to have been committed constitute conspiracy first degree, unlawful sexual intercourse second degree, unlawful sexual penetration in the first degree, assault first degree, arson first degree, burglary first degree, robbery first degree, trafficking in marijuana, cocaine, illegal drugs, methamphetamine, L.S.D. or designer drugs, or any attempt to commit any of said offenses; or"

Section 5. Amend Section 1010(c) of Title 10 of the Delaware Code by redesignating said subsection as paragraph "(1)" of subsection (c), and by redesignating paragraphs (1), (2), (3), (4), (5) and (6) of said subsection as subparagraphs "a.", "b.", "c.", "d.", "e.", and "f.", and by striking the phrase "16th birthday" as it appears in the first sentence of said subsection, and by substituting in lieu thereof the phrase "14th birthday", and by adding two new paragraphs immediately after newly designated paragraph (c)(1) to be designated as paragraphs "(c)(2)" and "(c)(3)" which shall read as follows:

"(2) Notwithstanding any provision of this section or Title to the contrary, when a child has reached his or her 16th birthday and is thereafter charged with being delinquent by having committed any offense which would constitute a felony were he or she charged as an adult under the laws of this State, and has either twice previously been adjudicated delinquent of offenses relating to separate incidents which would constitute felonies were he or she charged as an adult under the laws of the State, or has previously been sentenced pursuant to section 1009(e) of this Title, upon motion of the Attorney General or, upon its own motion, the Court shall defer further proceedings in the Family Court and conduct a hearing to determine whether the child should be referred to the Superior Court for trial as an adult. If, after the conclusion of the hearing, the Court finds that evidence demonstrates that there is a fair likelihood that the child may be convicted of the charge or charges, it shall refer the child to the Superior Court for trial as an adult.

(3) Notwithstanding any provision of this section or Title to the contrary, any child who has previously been declared to be non-amenable to the rehabilitative processes of the Court pursuant to this section, or who has previously been the subject of a denied application for transfer pursuant to section 1011 of this Title, and who thereafter is charged with being delinquent shall be referred to the Superior Court or to any other court having jurisdiction over the offense for trial as an adult."

Section 6. Amend Section 1011 of Title 10 of the Delaware Code by adding thereto a new subsection to be designated as subsection "(d)," to read as follows:

"(d) Notwithstanding any provision of this section or Title to the contrary, the Superior Court shall retain jurisdiction over any case involving a child where the child has previously been declared to be non-amenable to the rehabilitative processes of the Family Court pursuant to section 1010 of this Title, or where the child has previously been the subject of a denied application for transfer pursuant to this section."

Section 7. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

Section 8. Any action, case, prosecution, trail or other legal proceeding in progress at the time of the enactment into law of the provisions of this Act, no matter the stage of the proceeding, shall be preserved and shall not become illegal or terminated upon the effective date of this Act. The prior law shall remain in full force and effect as to all such proceedings in progress at the time of enactment of this Act.

## SYNOPSIS

This bill will help to protect Delawareans from violent and repetitive juvenile criminals by allowing for the prosecution of certain serious juvenile crimes in Superior Court. The existing laws which determine whether a juvenile will be prosecuted in Family Court or Superior Court were primarily written in the 1950's, and are no longer adequate to meet the best interests of society and many juvenile offenders. Because the Family Court can only retain jurisdiction over juvenile offenders until they turn 18 (or, in come instances, 21), and because, in most cases, the court does not have the authority to order that a convicted defendant be incarcerated for a set length of time, the existing laws do not sufficiently protect Delawareans from many violent juvenile offenders. Additionally, the Family Court is forced by our current system to expend scarce rehabilitative resources on repeat offenders who clearly have rejected these efforts.

This bill addresses these problems by reducing, and in some cases eliminating, the barriers to prosecuting violent juvenile criminals in Superior Court. Currently, a juvenile must be 16 before the State can ask the Family Court to transfer his or her case to Superior Court. This bill will lower that age to 14. Additionally, the bill will automatically give the Superior Court original jurisdiction automatically over any juvenile over the age of 16 who is charged with certain serious violent offenses, including assault first degree, robbery first degree, arson first degree, burglary first degree, unlawful sexual penetration first degree, and trafficking in illegal drugs. (Under our existing laws, Superior Court has original jurisdiction over any juvenile charged with murder first or second degree, unlawful sexual intercourse first degree or kidnapping first, regardless of his or her age. This bill does not change this provision). This bill will also require the Family Court to consider transferring to Superior Court any juvenile older than 16 who is charged with manslaughter, kidnapping second degree, burglary second degree, racketeering or assault in a detention facility.

Repeat juvenile offenders are also addressed by this legislation. With this bill, any juvenile older that 16 with two prior felony adjudications in Family Court who is then charged with a subsequent felony will be prosecuted in Superior Court, as will any juvenile who has previously been sentenced to a mandatory period of incarceration at the Ferris School. Finally, any juvenile who has previously been prosecuted in the Superior Court, and who thereafter commits another crime will automatically be prosecuted as an adult.

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## An Act To Amend Chapter 5 of Title 11 of the Delaware Code Regarding Certain Crimes Committed by Juveniles—Draft

*Be it enacted by the General Assembly of the State of Delaware.*

Section 1. Amend Section 1447(d) of Title 11 of the Delaware Code by striking the phrase "16 years" as it appears therein, and by substituting in lieu thereof the phrase "15 years".

Section 2. Amend Section 1447A(e) of Title 11 of the Delaware Code by striking the phrase "16 years" as it appears therein, and by substituting in lieu thereof the phrase "14 years".

### SYNOPSIS

This bill will both deter and punish the use of deadly weapons and firearms by juveniles during crimes by lowering the age at which these offenses are prosecuted in Superior Court.

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## An Act To Amend Title 10 of the Delaware Code Relating to The Prosecution in Superior Court of Certain Serious Crimes Committed by Juveniles—Draft

*Be it enacted by the General Assembly of the State of Delaware.*

Section 1. Amend Section 921(2)a. of Title 10 of the Delaware Code by adding the following phrase immediately after the phrase "kidnapping in the first degree" as it appears in said paragraph: ", or any attempt to commit said crimes"

Section 2. Amend Section 1010(a)(1) of Title 10 of the Delaware Code by deleting the ";" at the end of said paragraph and substituting in lieu thereof the following phrase: ", or any attempt to commit said crimes;"

### SYNOPSIS

This bill makes it clear that any juvenile who is charged with an attempt to commit murder, unlawful sexual intercourse first degree or kidnapping first degree shall be prosecuted in Superior Court.

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## An Act To Amend Chapter 9 of Title 10 Relating to Certain Crimes Committed by Juveniles—Draft

*Be it enacted by the General Assembly of the State of Delaware.*

Section 1. Amend Section 921(2)a. of Title 10 of the Delaware Code by inserting the phrase "paragraph (15) of this Section, or" between the phrase "except as provided in "and the phrase "§ 927 of this title" as they appear in said paragraph.

Section 2. Amend Section 921 of Title 10 of the Delaware Code by adding thereto a new paragraph (15), to read as follows: "(15) Notwithstanding any provision of this Title to the contrary, if charges of delinquency based upon an alleged violation of any provision of Title 11, 16 or 21 of this Code which are within the exclusive original civil jurisdiction of Family Court otherwise may be joined properly with a felony pending against the same child in Superior Court, the acts of offenses forming the bases of said charges of delinquency shall be within the jurisdiction of Superior Court."

### SYNOPSIS

This Act will help deter juvenile crime and promote judicial efficiency by allowing all charges relating to a crime committed by a juvenile to be prosecuted in Superior Court whenever any of the charges are properly brought there. Currently, if one or more of the charges against a juvenile is required by law to be prosecuted in Supe-

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rior Court, it is possible that other charges relating to the same crime will remain in Family Court, thus leading to dual prosecutions. For instance, currently if a juvenile older than 16 years of age commits Assault First Degree with a gun, the Assault charge is brought in Family Court, while the weapons charge is indicted in Superior Court. This bill will end such a needless expenditure of resources by allowing cases to be consolidated in Superior Court whenever any of the charges relating to the crime are properly indicted in that court.

Senator BIDEN. Well, thank you very much, General.

I should have asked this in the beginning. What I would like to do is hear from all of you before I ask any questions. I know you are all very busy. Did anyone have a particular time constraint, that they would need to go within the next hour?

OK. Well, thank you. Mr. Sullivan.

## STATEMENT OF LARRY SULLIVAN, PUBLIC DEFENDER

Mr. SULLIVAN. Senator Biden, fellow panelists, ladies and gentlemen, thank you for the opportunity to share my experiences and views regarding the criminal justice system in Delaware, and the juvenile system in particular.

I am the public defender for the State of Delaware, a position I have held for 25 years.

I am going to speak generally about various facets of the system, but I want to put the role of the public defender in some perspective here.

Senator, when you were with the public defenders office, back before 1970, when I took over, there were probably six defenders statewide. Today, we have 45 attorneys in the public defenders office. They average 15 years' experience, which is highly unusual.

Senator BIDEN. I had 6 months' experience.

Mr. SULLIVAN. In fact when I became a public defender in 1970, then-Senator Steel, from Brandywine-Hunter said, "We want you to turn that place around."

"Right now, it is a training ground for young lawyers. They come in and learn how to try cases, and then they go out and work for the big law firms."

Well, we turned it around. We average 15 years' experience for these 45 lawyers. We are handling 19,000 clients. Back in 1970, when I took over, we handled 1,500 clients.

We had seven attorneys back then.

I want to speak broadly about the criminal justice system in Delaware, and tell you that those 19,000 clients that we handle represent 75 percent of those in the criminal justice system.

Some interesting statistics which I think are important——

Senator BIDEN. For the record, so then you represent adults as well as juveniles?

Mr. SULLIVAN. As juveniles. And this is total, adult and juvenile. In the juvenile system, we represent 85 percent of those. Overall, we represent 75 percent.

The statistics that I am going to talk about right now relate to the adult system, but I believe that they are comparable in the juvenile system as well.

Seventy-five percent of those who go to prison are too poor to afford their own attorney, such that they require the services of a public defender.

Seventy- to eighty-percent of those who go to our prisons at the adult level are full-blown addicts. They are addicted to drugs or alcohol or they are cross-addicted, and yet only 5 percent of them get treatment while they are in prison.

Furthermore, only 5 percent of those getting out of prison have meaningful jobs.

So it is apparent that we have a system where we are sending largely poor people to jail with addiction, and letting them out of jail with addiction, and nc job, and wondering they recidivate at a rate of 70 percent in the drug culture, selling and using drugs.

I believe that in response to those numbers, we should have a threshold program in our system, both at the adult and juvenile level, where everyone goes through, in effect, a 30-day residential drug and alcohol treatment program.

If 70 percent of those who are going to our adult prisons are full-blown addicts, where do you think the 20 to 30 percent of the others are headed?

And if you are running any type of program, and you have that number of people who have the same problem, it justifies, in my mind, a program that everybody has to sit through, and we can do it cost-effectively in our prisons as they are right now, particularly by using, again, a real prison.

And at the juvenile level, I am on record as having urged that 30 of the level 5 beds be set aside for drug and alcohol treatment and dedicated for that purpose, because I am confident that the same percentage of drug use and involvement of drugs with crime at the adult level, it is the same at the juvenile level.

The citizens of our State enjoy one of the most advanced and effective criminal justice systems in the Nation.

And our success has not been handed to us. The participating State agencies, and their respective representatives, brought us success by continually reflecting on where we were, and by continually striving to do better.

However, a significant amount of our success can be directly attributed to the help we received through the years from the Federal funding programs.

Typically, we have utilized Federal funds as seed money to develop new and innovative ways to address the challenges of criminal justice.

That is why I looked with anticipation to the funding opportunities under the Federal crime bill.

Much to my regret, however, I found that the crime bill funding was disproportionate, and that while the police and corrections functions have great opportunities for funding, the prosecution and judicial functions have good opportunities for funding.

The defense function has relatively fewer opportunities.

Why is it important to fund the defense function? The numbers, in this State, prove that we are an important player in the system, handling 75 percent of the volume.

Currently, in Delaware, at the adult level—and it is comparable at the juvenile level—it takes us 161 days to bring someone to trial, from arrest to trial.

Then it takes somewhere between 60 and 90 days, on average, to have someone sentenced.

The impact of that delay can be found within problems in our corrections system. We have, at present, 4,500 people in the adult prison system of Delaware, in prisons with a designed capacity of 2,700. And of those 4,500, at any given time, somewhere between 600 and 800 of those in the prisons are in there as pretrial detainees, awaiting trial—600 to 800 of the 4,500 people in prison are in pretrial status.

I contend that this is the product of a lack of funding opportunities for case processing, and one of my recommendations, in terms of what can be done to enhance this good crime bill, is to provide for case processing funding, funding for prosecutors, judges, judges' staff, and defenders, to move these cases quicker.

I contend that we can effectively build a 200-bed prison here, in Delaware, if we had the funding for effective case processing. By moving cases faster, perhaps in the 90-day range, we can reduce the number of people in pretrial from 600 to 800, down to 400 to 600.

Senator BIDEN. If you do not mind my interrupting, I think you are right about that. We cannot mandate that, federally, but if you will recall, because you have commented on it years ago, I authored the Speedy Trial Act at the Federal level which does just that. And one of the ancillary impacts was that. I did not do it for that reason, I must admit.

But one of the impacts was—now, granted, the problems are less at the Federal level. The total number of cases tried in the Federal criminal system is 28,000 a year. I mean, the DA in Philadelphia does that more than 1 year, just the DA in Philly.

So I do not want to overstate it, but the effect has been exactly what you have stated, and I think you are dead right.

Mr. SULLIVAN. Senator, let me put the local spin on this.

We handle, in Delaware, in one week, in our State courts, what the U.S. attorney handles in the Federal District Court for the District of Delaware in 1 year.

Senator BIDEN. Yes.

Mr. SULLIVAN. So I think that we should have specific funding opportunities for case processing, which will not only help with the prison situation, but will also do away with what I call twice the victim. The victims of crime, and there is plenty of money for victims in variety of these acts—these victims are victims of crime, but then when they get into the system they are victims again in the way that the cases are processed.

As I said, at the adult level, it is 161 days. In the juvenile level, we had conditions where kids were acting up in school in September, and there were arrests made, and the cases were not tried until the following June. So the tensions went on for the full year.

Several years ago, Judge Poppiti and Charley Obert and I developed a speedy processing function for the school case system. We have got that down. We try to get those cases done in less than 60 days. It was 60 and went down to 30.

In terms of volume for the public defenders at the juvenile level, my defenders are current handling 600 clients each. I have eight defenders in the family court in New Castle County.

By the end of this year, however, due to Burn grant funding, I will be able to add three additional attorneys, and we will bring that 600 level down, considerably closer to the 400 case level that is recommended by the American Bar Association.

Senator, you mentioned something about historical data. There is an interesting anecdote that I ran into a few weeks ago.

I was talking to Harold Schaffer, who is an older attorney, up in Philadelphia, and he called me about an unrelated matter, and reminded me that in 1958, in New Castle County, there were eight indictments for the illicit use of drugs. Eight indictments.

If we can only go back to that. And let me state, parenthetically, that when I say that we can drop the time lapse from arrest to adjudication, down to the 90-day range, we have been through that.

When I became public defender in 1970, it was taking us six months to bring someone to trial, on average, in a felony case.

We continually worked at dropping those numbers, and we did drop them down to an average of 85 days—excuse me—yes, 85 days, in August of 1982, was the lowest we got it down to. And since then it has been creeping back up, and it is up to about 161 days right now.

Senator BIDEN. Is it totally a function of caseload?

Mr. SULLIVAN. No; it is not.

Senator BIDEN. I am sorry for interrupting. I would like to pursue this with you, not only today, but in more detail in a different form. I do not know what, federally, I could do, except make more dollars available, more discretionary dollars available to the State for that purpose.

It seems to me to be a worthwhile undertaking. I mean, you are either clogging the system, or people are out on bail, committing crimes, or you are at a minimum causing a disruptive circumstance by, as you said, a kid gets arrested in September for behavior in school, and does not get adjudicated until June. I mean, that must have some impact on the school.

Mr. SULLIVAN. I am not recommending that funding just be dropped into jurisdictions. I happen to think that jurisdictions ought to be required to comply with certain standards in order to qualify for the money.

Senator BIDEN. I see.

Mr. SULLIVAN. And among other standards, this is one that I think is particularly important, and that is, there ought to be some sentencing standards. I know that 98 percent of the people who go to prison get out, and I think that at the time of sentencing, judges ought to be afforded as much information as they can, to make decisions and recommendations to the Department of Corrections, and, indeed, orders to the Department of Corrections for fulfilling those things that have to be done to make people effective when they get out of prison.

I say that judges ought to be provided with plans for reintegration at the time of sentencing. That is, we should focus on the fact that 98 percent of the people who go to prison, both at the adult and juvenile level, are going to get out, and we should determine, prior to sentencing, and then have an order, at sentencing, an order addressing the particular needs of the individual before the court. That is, if someone requires additional educational opportunities, they should get that.

If they need jobs skills training, they should get that. Those who need drug and alcohol treatment—and it is a vast majority of them who need that—should get that. And we should do it, not because these are nice guys, but because they are not nice guys, and they need it and we need to do it for ourselves. That is, the law-abiding citizens.

If we expect these individuals to be productive when they get out of prison, we have to make them productive while they are in prison.

And there are studies that show remarkable change in these individuals, when they get their high school equivalency degree while they are in prison. A significant change in recidivism, a significant change in recidivism rates for those who have had drug and alcohol treatment.We really have to go after them.

One of the good things that we have got here in Delaware are our new sentencing guidelines. Sentencing guidelines at the juvenile level were, to some extent, patterned after the SENTAC guidelines at the adult level, except that there is one facet in the juvenile area which is particularly good, and I think innovative.

The judges in the family court can sentence to program level. That is, they do not simply say that you are committed to the custody of the Division of Youth Rehabilitation. They can say that you are committed to their custody, with this direction, that this happen while you are in prison, or, excuse me, while you are incarcerated.

And then we have another aspect of this, where these sentencing directives are monitored, usually every 2 weeks or so, where the kids are brought back before the Court to make sure that the order is being complied with.

And again, here is where Federal funds have helped us. We have a setup now, that is available to us, and we will soon be implementing a 100 percent, where the kids will be brought before videophone connections at the detention center linked with the family court, for these reviews of sentence.

And whereas before we had this setup, these kids would have to be dragged in, out of the program, for most of the day held in holding cells in the family court until these issues were reviewed. And we did that again through Burn grant funding. That is going to make it so that these kids will only be drawn out for 15 to 20 minutes, out of the program, rather than——

Senator BIDEN. Well, I hope this recent Burn grant is going to be of some significant help. I mean, it is a lot of HUD money. You seem to be using it well.

Mr. SULLIVAN. I am going to stop here, and leave the rest of this for the other panelists.

Senator BIDEN. All right. Chief Judge Poppiti, why do you not grab Mr. Sullivan's microphone. I think that is the only functioning one.

## STATEMENT OF HON. VINCENT POPPITI, CHIEF JUDGE, FAMILY COURT, STATE OF DELAWARE

Judge POPPITI. Senator, thank you for the opportunity to testify before the Committee. For the record, my name is Vincent Poppiti. I am chief judge of the Family Court of the State of Delaware.

And of course you know that is a statewide court with original jurisdiction over all delinquent acts committed by juveniles in this State.

Senator BIDEN. I do not know whether you know, as my mother would say, it also qualifies you to avoid purgatory when you die. Go ahead.

Judge POPPITI. I could use that pass, Senator. [Laughter.]

While I would not presume to speak to the specific viewpoints of my 18 fellow judicial officers, both judges and commissioners, I offer the following observations in each of the five targeted areas for these hearings today.

The first, the scope of the problem of youth violence in Delaware. Youth violence, youth crime, juvenile delinquency—all terms used by different "camps", depending upon one's particular approach to juvenile justice, has risen to a critical level that threatens the physical and psychological well-being of every community in our State.

The number of delinquency cases filed in 1994 broke the five-digit level for the first time in Delaware history, and has increased 20.1 percent in the last 3 years alone.

Viewed from a somewhat different perspective, despite a concentrated focus on juvenile justice evidenced in the efforts of the court, the attorney general, the Public Defenders Office, and Youth Rehabilitative Services, the number of youth needing placement at the maximum level of security available regularly exceeds 100, almost double the number planned by the rehabilitative system just 2 years ago.

Far from adopting a lock-em-up approach to juvenile rehabilitation, judicial officers of my court have expressed an active and consistent interest in placing youthful offenders, juvenile criminals, of delinquent youths—again depending upon the group speaking at a given time—in alternatives to incarceration that ensure the safety of the community and at the same time the treatment made available to youth that need treatment.

These efforts have pushed the envelope of what we refer to as level IV placements, to twice the number of slots contracted by Youth Rehabilitative Services.

Senator, when I returned to the family court after serving as a superior court judge for 10 years, there were less than 60 youths in these "staff secure" facilities. Four days ago, the number of youth placed at level IV was 212.

The increase in the aggregate number of delinquency filings is disturbing, but even more significant and staggering is the violent nature of the delinquent and criminal acts committed by youth today.

Gone are the days when a family court dealt merely with youthful indiscretions that would pass as the child matured.

Today, the judicial officers of our court routinely conduct hearings on violent physical assaults, robberies, burglaries, sexual assaults, and yes, homicides.

And in the wake of these acts are victims whose lives have been shattered, schools whose safe classrooms are threatened, and families whose roots have been shaken.

The family court, as you know, Senator, is statutorily charged, and most family courts or juvenile courts throughout the country are charged with making decisions that consider not only the safety of the community but the best interests of the child as well.

Unlike a criminal court, every family court decision in a delinquency case, as our public defender has frequently noted, in a very real sense, we make a custody decision in the truest sense of the word.

These juvenile offenders are faced with special treatment needs that must be met, or we will all face them again in the future, either in the juvenile justice system or in the adult system, with even more dire consequences.

Juvenile justice is not the warm and fuzzy hug that some critics often proffer. Nor is it an uncaring machine that others would have you believe.

Every member of the family court in this State, from this chief judge to the records clerk in Georgetown, is dedicated to the mission of the court, and cares deeply about our work—the victims, the communities we live in, and the juveniles who commit these violent acts.

It would be simplistic to suggest that the problem of juvenile violence rest solely on the juvenile offender.

The presenting problems are multifaceted. There are problems with the system of juvenile justice in Delaware and in the country at-large. The lack of family stability, effective parenting, and positive role models contribute to the problem.

Just last Tuesday, at a conference in Washington, DC, cosponsored by the Department of Justice, a paper was presented that indicated that up to 80 percent of youth, found neglected by a court, will be arrested for delinquent acts, and 50 percent of neglected youth will be arrested for violent acts.

We must attack this front-end problem, if we expect to reduce violence in the critical years of 16 through 25.

At the back door of the juvenile justice process, the sentencing phase, the judges are frequently hamstrung by statutes that limit the ability to enter orders that strike a balance between offenders' needs and community safety, and orders that will have a preventive or deterrent effect.

The comments that the public defender made about our sentencing system in the State, dealing with dispositional guidelines, is an arrangement, an agreement between the Court and Youth Rehabilitative Services. It is not presently reflected in the statute.

Despite recent legislative changes, such as an extended jurisdiction statute in Delaware, allowing the court to exercise jurisdiction over certain youths to the age of 21, financial and statutory problems between the adult and juvenile correctional divisions render the valuable statute nearly useless in the eyes of many prosecutors.

One response to the perception that juvenile courts are not tough enough on juvenile offenders has been to transfer multiple classes of offenders to the adult criminal court.

Over 20 States, in the last 2 years, have enacted statutes that have increased the waiver of juveniles to adult courts by more than 60 percent.

And although these States have increased the number of offenses declared criminal, research has not shown that recidivism is reduced, or even that the juvenile offenders receive tougher sentences than their counterparts in the juvenile courts.

Cosmetic changes to delinquency statute without substantive results may smooth the surface while further fracturing the stressed subsurface of juvenile justice.

Without question, there are offenses and individuals that are more properly handled in the criminal context. I advocate, however, for a careful and measured approach to substantial revisions.

An approach that utilizes discussion between all of the components of the system; an approach that considers national research as well as local sentiment; an approach that takes maximum advantage of the skills of a family court or juvenile judge; an approach that is responsive rather than reactionary. Such an approach takes time. Delaware should take that time and pursue a vision with a clear focus.

The second point of the targets for this hearing. Federal tools available to Delaware to help improve the juvenile justice system.

Federal initiatives, research, technical assistance, and most importantly, funding, have provided the impetus for change in the past.

Federal grants have helped the court establish a guardian ad litem program in Kent County, have provided presentence investigations for juvenile offenders under the age of 14, and will assist in automating courtrooms and information systems.

Federal grants to other State agencies have increased the number of sentencing options available to judges.

Federal grants to community providers have established effective prevention programs that give young people a chance to avoid the juvenile justice system entirely.

Unfortunately, these Federal tools often come with regulations that seem to frustrate the very system they are designed to help, in language frequently difficult to comprehend.

For instance, funding is tied to a regulation that adults and juveniles not be comingled in detention facilities.

Somehow, this translates to a prohibition on passing visual contact so that juveniles being transported in a detention facility vehicle can observe the entire world through the windows of the van, but once inside the courthouse and the parking, loading dock, even the most momentary view of an adult detainee through three layers of glass, and two rooms, is prohibited.

And we are considered in violation, and our grant money is in jeopardy.

Or another example. A judge writes a 3-page decision outlining the horrendous living conditions in the home and the dangerous factors necessitating the child's removal from that situation, but Federal foster care assistance is denied because the words, quote, "best interests", close quote, were not printed on the page of the order.

Senator BIDEN. That has actually happened?

Judge POPPITI. Yes, sir.

Senator BIDEN. The next time that happens, I would urge you to literally pick up the phone and call me.

Judge POPPITI. We will do that.

Senator BIDEN. I promise you it will be straightened away.

Judge POPPITI. I hope it does not happen, because I hope we fixed our problem. But if it does happen, we will certainly make the phone call.

Senator BIDEN. That is bizarre.

Judge POPPITI. Senator, we need assurances that the current Federal tools will continue to be available, and we need to make these tools more accessible, and logically monitored.

Point No. 3. Effectiveness of early intervention and prevention programs for youth.

Prevention is certainly the most cost-effective means of dealing with youth violence. The Office of Juvenile Justice and Delinquency Prevention, OJJDP, has developed a comprehensive strategy for dealing with serious, violent, and chronic juvenile offenders.

It advocates for a risk-focused approach. Such intervention must occur early in the process. We need prevention methods that interface with the youth at each level of their experience.

Parenting education and family assistance for the infants and toddlers, Head Start programs for the very young, role modeling and self-esteem programs for the primary grade students, conflict management for the preadolescents and teens, peer mediation and directed activities for high school aged youths.

It must be a continuum of accountability and care to adulthood.

The effectiveness of prevention programs is not easily ascertained. How do we know that what we sow today will not reap a harvest in later years, even when no growth is apparent in the early stages?

You know, the age-old adage—and there is a lot of wisdom to this—"an ounce of prevention is worth a pound of cure"—is something that we should say over, and over, and over again.

The experience of judges is that prevention can and does work. Prevention programs need expansion, not reduction. Remorse and punishment, after the fact, will never fully compensate a victim. On the other hand, prevention of violence may prevent one from becoming a victim at all.

Point No. 4. How to revise the Juvenile Justice and Delinquency Prevention Act.

The Juvenile Justice and Delinquency Prevention Act, as amended in 1992, embodies a sound philosophy and provides funding essential to the well-being of the juvenile justice system.

The act provides, as you know, for ongoing evaluation of programs; technical assistance to public and private agencies; training programs for professionals, paraprofessionals, and volunteers; centralized research and dissemination of findings; national standards for the administration of juvenile justice; assistance to States in programs designed to reduce truancy; assistance to deal with runaway and homeless youths; strengthening household units in which juvenile delinquency has become a problem; and assisting States in preventing youth from entering the juvenile justice system.

The act and the assistance of the OJJDP have helped establish a framework for the States by requiring a 3-year plan designed to meet defined goals.

Problems in the act are not related to the language of the statute. The areas for which funding is available are quite varied.

The act, as you know, requires that not less than 75 percent of the Federal funds be used to promote any, or all, of the 15 specified objectives. Problems in the act are more closely tied to the priorities of administrators in the OJJDP and the Federal monitors.

At present, a major initiative to enhance informed sentencing is in jeopardy of collapse because a Federal monitor believes that Delaware has not identified the problem of disproportionate minority confinement.

The monitor ignores the fact that no less than three studies in the last 3 years have looked at the issue, at the plea bargaining and dispositional phases.

That the regional chair of the national committee addressing the issue was from Delaware. That nearly one-fourth of the available funds are being spent in that area. That the very grant jeopardized by that decision is designed to reduce the disproportional confinement.

Fortunately, it appears that the Criminal Justice Council has successfully challenged that decision, but steps should be taken within the OJJDP to reduce the hinderance of legitimate State efforts.

I encouraged the reauthorization of the Juvenile Justice and Delinquency Prevention Act. I encourage the new administrator of the OJJDP to take a look at how the agency is administering the important provisions of this critical piece of Federal legislation.

Point No. 5. How to implement the recommendations of the National Youth Violence Summit held in Washington, DC last summer.

The National Youth Violence Summit generated a list of 15 recommendations to address youth violence by establishing partnerships that work. Many of the recommendations require Federal implementation.

For instance, some of the recommendations dealt with establishing youth task forces in the Federal agencies' decisionmaking process. Others dealt with the media and national conferences.

Three of the recommendations, in particular, merit immediate consideration. First, the youth caucus recommended that juvenile offenders should serve meaningful internships in community-based organizations.

The State has already begun to implement this recommendation in specific neighborhoods in the city of Wilmington.

The court and the community association president have arranged for referral of a set number of juvenile offenders to serve community service hours under the supervision of the community association committee.

Some of the projects will include community clean-up days, work on recreation areas, delivery of association newsletters, and setting up for meetings, assistance in mowing lawns for the elderly, planting trees in the urban neighborhoods.

This service can be tied in with the local Boys and Girls Clubs for tutoring. The department-appointed probation officers and local community police officers will be in contact with the community association, thereby providing a more watchful eye and a more effective support system for the juvenile.

A second recommendation to establish youth courts, where young people can be judged by a jury of their peers needs, in my view, more careful consideration.

Many of the non-violent acts occurring within a school or community group could be mediated in a restorative justice program.

Within these communities, young adults can be trained to resolve, and hopefully prevent, unacceptable behavior.

However, the violent acts that are the focus of this hearing require a decisionmaker with full authority, and special training, and certainly more experience than a youth jury could provide.

Through no fault of their own, a youth jury has only their limited life experiences by which to measure the impact of violent acts which may reach far beyond the youth jury's field of vision.

Implementation of the youth-based conflict resolution has already begun in Delaware. Family court is represented on the Delaware Center for Dispute Resolution Advisory Board, that has begun training efforts in local school districts.

The center also serves as a statewide resource for any individual or group seeking more information on alternative dispute resolution.

Our court has also worked with the Delaware Center for Justice in establishing a victim-offender mediation program which offers juvenile victims the opportunity to face the juvenile offender and express the impact of that offender's acts.

The third recommendation is quite an insightful comment on the status of child protective services across the Nation.

The caucus recommended more careful monitoring of child protective services. Implementation of this recommendation will involve not only reauthorization of the Juvenile Justice and Delinquency Prevention Act, but also safeguards to the Adoption Assistance and Child Welfare Act, and the Child Abuse, Prevention, and Treatment Act.

Each of these pieces of legislation sets standards for protective agencies and foster care placements.

Removal of these safeguards contained in some of the block grant proposals before Congress could have a devastating effect, that could actually set back the standard of monitoring of protective services currently in place.

The supreme court and the family court presently are working on a court improvement project that is assessing the conformity of Delaware's laws, rules, and practices with the requirements in the Federal laws.

The second phase of that project will entail recommendations for improving that system.

The court and the Division of Family Services has worked closely in developing an expedited process for bringing critical situations to the attention of a judge literally on a 24-hour basis.

With the cooperation of the State Police, an 800 number if available to protective service workers to obtain removal orders at any time.

Reasonable effort affidavits, reviewed at each court hearing, provide an additional set of checks against unwarranted removals.

These three recommendations of the National Youth Violence Summit are well on their way to full implementation, and the court certainly looks forward to the results of future youth conferences.

Senator, the problem of youth violence cries out for immediate attention. At this point in time, when expanding needs are clashing with collapsing budgets, we must marshal our efforts in striving to make progress against a rising tide of ever-increasing violence perpetrated by the youthful population of our communities.

Our court remains dedicated to the cause, and I certainly applaud your willingness and the willingness of this committee to meet the challenge in shaping a new generation. Thank you, sir.

[The statement of Judge Poppiti follows:]

## PREPARED STATEMENT OF VINCENT J. POPPITI

My name is Vincent J. Poppiti and I am the Chief Judge of the Family Court of the State of Delaware, the statewide court with original jurisdiction over all delinquent acts committed by juveniles in this State. The Court consists of thirteen judges nominated by the Governor and confirmed by the Senate for twelve year terms. The Court also consists of six commissioners serving four year terms and appointed in a manner similar to that used to appoint judges. Each of these nineteen judicial officers encounters the problem of youth violence in Delaware from a number of vantage points that affect the lives of individuals, families, the community, and the State at large. While I would not presume to speak to the specific viewpoints of my eighteen fellow judicial officers, I offer the following observations on each of 5 points targeted for these hearings.

### POINT 1: THE SCOPE OF THE PROBLEM OF YOUTH VIOLENCE IN DELAWARE

Youth Violence, Youth Crime, Juvenile Delinquency—all terms used by different "camps", depending upon one's particular approach to Juvenile Justice, has risen to a critical level that threatens the physical and psychological well-being of every community in our State. The number of delinquency cases filed in 1994 broke the five digit level for the first time in Delaware history and has increased 20.1% in the last three years alone. Viewed from a somewhat differed perspective, and despite a concentrated focus on juvenile justice evidenced in the efforts of the Court, Attorney General, Public Defender, and Youth Rehabilitative Services, the number of youth needing placement at the maximum level of security available regularly exceeds 100—almost double the number planned by the rehabilitative system just two years ago. Far from adopting a "lock-em up" approach to juvenile rehabilitation, the judicial officers of my Court have expressed an active and consistent interest in placing Youthful Offenders, Juvenile Criminals, or Delinquent Youths, (again depending upon the group speaking at a given time), in alternatives to incarceration that ensure the safety of the community at the same time that treatment is made available to the youth. These efforts have pushed the envelope, of what we refer to as Level IV placements, so twice the number of slots contracted by Youth Rehabilitative Services. Senator, when I first returned to the Family Court after serving as a Superior Court judge for ten years, there were less than sixty youths in these "Staff Secure" facilities. Four days ago the number of youth placed at Level IV was at 212.

The increase in the aggregate number of delinquency filings is disturbing. But even more significant and staggering is the violent nature of the delinquent/criminal acts committed by youth today. Gone are the days when a Family Court dealt merely with youthful indiscretions that would pass as the child matured. Today the judicial officers of our Court routinely conduct hearings on violent physical assaults, robberies, burglaries, and sexual assaults, and yes, homicides, committed by juveniles. And in the wake of these acts are victims whose lives have been shattered, schools whose safe classrooms are threatened, and families whose roots have been shaken.

The victims of violent acts are not the only casualties, however, The Family Court is charged with making decisions that consider not only the safety of the community, but the best interests of the child as well. Unlike a criminal court, every Family Court decision in a delinquency case is, as the Public Defender has frequently said, in a very real sense, a "custody" decision in the trust sense of the word. These juvenile offenders are faced with special treatment needs that must be met or we will all face them again in the future either in the juvenile system or in the adult system, with even more dire consequences. Juvenile Justice is the not "warm and fuzzy" hug that some critics often proffer. Nor is it an "uncaring machine" that others would have you believe. Every member of the Family Court—from this Chief Judge to the records clerk in Georgetown—is dedicated to the mission of the Court and cares deeply about our work, the victims, the communities we live in, and juveniles who commit these violent acts.

It would be simplistic to suggest that the problem of juvenile violence rests solely with the juvenile offender. The presenting problems are multifaceted. There are problems with the system of juvenile justice in Delaware and in the country at-large. The lack of family stability, effective parenting, and positive role models contribute to the problem. Just last Tuesday at a conference in Washington, DC, co-sponsored by the Department of Justice, a paper was presented that indicated that up to 80% of youth, found neglected by a court, will be arrested for delinquent acts, and 50% of neglected youth will be arrested for violent acts. We must attack this front end problem if we expect to reduce violence in the critical years of 16 through 25.

At the backdoor of the juvenile justice process, the "sentencing" phase, the judges are hamstrung by statutes that limit the ability to enter orders that strike a balance between offender needs and community safety, and orders that will have a preventive or deterrent value. Despite recent legislative changes such as an extended jurisdiction statute allowing the Court to exercise jurisdiction over certain youths to the age of 21, financial and statutory problems between the adult and juvenile correctional divisions render that valuable statute nearly useless in the eyes of many prosecutors. One response to the perception that juvenile courts are not "tough enough" on juvenile offenders has been to transfer multiple classes of offenses to the adult criminal court. Over twenty states in the last two years have enacted statutes that have increased the waiver of juveniles to adult courts by more than 60%. And although these states have increased the number of offenses declared criminal, research has not shown that recidivism is reduced or even that the juvenile offenders receive tougher sentences than their counterparts in juvenile courts.

"Cosmetic" changes to delinquency statutes without substantive results may smooth the surface while further fracturing the stressed subsurface of juvenile justice. Without question, there are offenses and individuals that are more properly handled in the criminal context. I advocate, however, for a careful and measured approach to substantial revisions. An approach that utilizes discussion between all of the components of the system; An approach that considers national research as well as local sentiment; An approach that takes maximum advantage of the skills of Family Court judges; An approach that is responsive rather than reactionary. Such an approach takes time. Delaware should take that time and pursue a vision with a clear focus.

### POINT 2: FEDERAL TOOLS AVAILABLE TO DELAWARE TO HELP IMPROVE THE JUVENILE JUSTICE SYSTEM

Federal initiatives, research, technical assistance, and most importantly, funding, have provided the impetus for change in the past. Federal grants have helped the Court establish a guardian ad litem program in Kent County, have provided presentence investigations for juvenile offenders under the age of 14, and will assist in automating courtrooms and information systems. Federal grants to other state agencies have increased the number of sentencing options available to judges. Federal grants to community providers have established effective prevention programs that give young people a change to avoid the juvenile justice system entirely. Unfortunately, these federal tools often come with regulations that frustrate the very system they are designed to help, and are written in a language difficult to comprehend. For instance, funding is tied to a regulation that adults and juveniles are not co-mingled in detention facilities. Somehow this translates to a prohibition on passing visual contact so that juveniles being transported in a detention facility vehicle can observe the entire world through the windows of the van, but once inside the Court parking dock even the most momentary view of an adult detainee through three layers of glass and two rooms is prohibited. Or another example, a judge writes a three page decision outlining the horrendous living conditions in the home and the danger factors necessitating his removal from that situation, but federal foster care assistance is denied because the words "best interests" were not printed on the page.

We need assurance that the current federal tools will continue to be available. We need to make those tools more accessible and logically monitored.

## POINT 3: EFFECTIVENESS OF EARLY INTERVENTION AND PREVENTION PROGRAMS FOR YOUTH

Prevention is certainly the most cost-effective means of dealing with youth violence. The Office of Juvenile Justice and Delinquency Prevention (the "OJJDP") has developed a Comprehensive Strategy for dealing with serious, violent, and chronic juvenile offenders. It advocates for a risk-focused approach. Such intervention must occur early in the process. We need prevention methods that interface with the youth at their level of experience: Parenting education and family assistance for the infants and toddlers, Head Start programs for the very young, Role modeling and self-esteem programs for the primary grade students, Conflict management for the pre-adolescents and teens, Peer mediation and directed activities for high school aged youths. It must be a continuum of accountability and care to adulthood.

The effectiveness of prevention programs is not easily ascertained. How do we know that what we sow today will not reap a harvest in later years even when no growth is apparent in the early stages? There are ages of wisdom behind the adage "an ounce of prevention is worth a pound of cure." The experience of judges is that prevention can and does work. Prevention programs need expansion, not reduction. Remorse and punishment after the fact will never fully compensate a victim. On the other hand, prevention of violence may prevent one from becoming a victim at all.

## POINT 4: HOW TO REVISE THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

The Juvenile Justice and Delinquency Prevention Act, as amended in 1992, embodies a sound philosophy and provides funding essential to the well-being of the juvenile justice system. The Act provides for: ongoing evaluation of programs; technical assistance to public and private agencies; training programs for professionals, paraprofessionals, and volunteers; centralized research and dissemination of findings; national standards for the administration of juvenile justice; assistance to States in programs designed to reduce truancy; assistance to deal with runaway and homeless youths; strengthening household units in which delinquency has become a problem; and assisting states in preventing youths from entering the justice system. The Act and the assistance of the OJJDP have helped establish a framework for the states by requiring a three-year plan designed to meet defined goals.

Problems in the Act are not related to the language of the statute. The areas for which funding is available are quit varied. The Act requires that not less than 75% of the federal funds be used to promote any or all of fifteen specified objectives. Problems in the Act are more closely tied to the priorities of administrators in the OJJDP and the federal monitors. At present, a major initiative to enhance informed sentencing is in jeopardy of collapse because a federal monitor believes that Delaware has not identified the problem of Disproportionate Minority Confinement. The monitor ignores the fact that no less than three studies in the last three years have looked at the issue at the plea bargaining and dispositional phases; that the regional chair of the national committee addressing the issue was from Delaware; that nearly one-fourth of the available funds are being spent in that area; that the very grant jeopardized by that decision is designed to reduce the disproportional confinement. Fortunately, it appears that the Criminal Justice Council has successfully challenged that decision, but steps should be taken within the OJJDP to reduce the hindrance of legitimate state efforts.

I encourage the reauthorization of the Juvenile Justice and Delinquency Prevention Act. I encourage the new administrator of the OJJDP to take a look at how the agency is administering the important provisions of this critical piece of federal legislation.

## POINT 5: HOW TO IMPLEMENT THE RECOMMENDATIONS OF THE NATIONAL YOUTH VIOLENCE SUMMIT HELD IN WASHINGTON, DC, LAST SUMMER

The National Youth violence Summit generated a list of fifteen recommendations to address youth violence by establishing partnerships that work. Many of the recommendations require federal implementation. For instance, some of the recommendations dealt with establishing youth task forces in the federal agencies' decision-making process. Others dealt with the media and national conferences.

Three of the recommendations, in particular, merit immediate consideration. First, the youth caucus recommended that juvenile offenders should serve meaningful internships in community-based organizations. The Family Court has already begun to implement this recommendation in specific neighborhoods in the city of Wilmington. The Court and the community association president have arranged for referral of a set number of juvenile offenders to serve community service hours under the supervision of the community association committee. Some of the projects will include community "clean-up days", work on the recreation areas, delivery of association newsletters and setting up for meetings, assistance in mowing lawns for the elderly, planting trees in the urban neighborhoods. This service can be tied in with the local Boys and Girls Clubs for tutoring. The Department appointed probation officer and the local community police officer will be in contact with the community association, thereby providing a more "watchful" eye and a more effective support system for the juvenile.

A second recommendation to establish youth courts where young people can be judged by a jury of their peers needs more careful consideration. many of the nonviolent acts occurring with a school or community group could be mediated in a restorative justice paradigm. Within these communities, young adults can be trained to resolve—and hopefully prevent—unacceptable behavior. However, the violent acts that are the focus of this hearing require a decision maker with full authority, special training and certainly more experience than a youth jury could provide. Through no fault of their own, a youth jury has only their limited life experiences by which to measure the impact of violent acts which may reach far beyond the youth jury's field of vision. Implementation of the youth based conflict resolution has already begun in Delaware. Family Court is represented on the Delaware Center for Dispute Resolution Advisory Board that has begun training efforts in local school districts. The center also serves as a statewide resource for any individual or group seeking more information on Alternative Dispute Resolution. The Court has also worked with the Delaware Center for Justice in establishing a victim Offender mediation Program which offers juvenile victims the opportunity to face the juvenile offender and express the impact of that offender's acts.

The third recommendation is quite an insightful comment on the status of child protective services across the nation. The Caucus recommended more careful monitoring of child protective services. Implementation of this recommendation will involve, not only reauthorization of the Juvenile Justice and Delinquency Prevention Act, but also safeguards to the Adoption Assistance and Child Welfare Act and the Child Abuse, Prevention, and Treatment Act. Each of these pieces of legislation sets standards for protective agencies and foster care placements. Removal of these safeguards contained in some of the block grant proposals before Congress could have a devastating effect that could actually set back the standard of monitoring of protective services currently in place. The Supreme Court and Family Court presently are working on a Court Improvement Project that is assessing the conformity of Delaware's laws, rules, and practices with requirements in the federal laws. The second phase of that project will entail recommendations for improving that system. The Court and the Division of Family Services has worked closely in developing an expedited process for bringing critical situations to the attention of a judge literally on a 24 hour basis. With the cooperation of the State Police, an 800 number is available to protective services workers to obtain emergency removal orders at any time. Reasonable efforts affidavits, reviewed at each court hearing, provide an additional set of checks against unwarranted removals.

These three recommendation of the National Youth Violence Summit are well on their way to full implementation. The Court looks forward to the results of future youth conferences.

### CLOSING

The problem of youth violence cries out for immediate attention. At this point in time when expanding needs are clashing with collapsing budgets, we in striving to make progress against a rising tide of ever-increasing violence perpetrated by the youthful population. Our Court remains dedicated to the cause, and I applaud your willingness to meet the challenge in shaping a new generation.

Senator BIDEN. Thank you very much, Judge. Colonel Gordon.

## STATEMENT OF TOM GORDON, NEW CASTLE COUNTY POLICE CHIEF, NEW CASTLE, DE

Mr. GORDON. Good morning, Senator.

Senator BIDEN. Good morning, Colonel. How are you?

Mr. GORDON. Thank you, again, for taking the opportunity to begin the study. I think this is your third recent problem. I think it was crime, in general, domestic violence, and now, youth violence, and I hope you begin to have the same successes that we are having on the other two.

So I am going to speak this morning in just three areas—how they relate to juvenile violence and associated problems with that, the problems faced by our officers on the street, how community policing is affected, and the Police Athletic League experience.

The New Castle County police, currently drowning in a rising tide of serious crimes and calls for service, the majority of which is driven by our young population.

You know the statistic about crime, it increases as our young population increases, and the predictions are that it will continue.

This is an issue, I believe, based on considerable experience and research, that it is no longer a question of how we are going to cure the problem, Senator. It is a question of how we are going to manage it. The population of this county—this is both a local problem and a national problem—because of the small size of our State and small size of our county, we not only have to deal with the problems and the solutions in Delaware, but oftentimes we are victims of the surrounding States where much crime is imported.

Some of it is a product of poor planning in the past. Some of it is a problem of root causes. Rather than get tied up on that, I think we just need to realize that we are not going to be able to solve all of these problems. We need to talk about how we can manage it. The police crisis, speaking to my officers, they believe that it is the biggest threat, problem, to their safety right now.

They are running into an awful lot of weapons as they try to do their jobs, both in car stops, calls to communities, calls to homes.

I also think as I talk about community policing, it is also a big threat to community policing. Recently, I had an officer who was run over by a group of kids who are in the process of stealing a car, something that occurs daily now in New Castle County.

And 10 years ago, under the traditional policing, the officer probably would have walked up with gun drawn, and had the kids remove themselves immediately with their hands in the air, some kind of a quasi-military function. But in community policing we teach friendly, nice approaches.. And then this case, he walked up without any of those precautions, and was immediately run over.

The car, as you may have read about, actually stood on the officer for a number of minutes, and he is now destroyed, and had to be pensioned off.

So that as we try to teach community policing, we try to teach the modern way of policing, I think that the violence that we are seeing is beginning to threaten that.

Also, community policing teaches, and I think it is very good—you hire a diverse workforce, they live in the community, work in their community. And we teach that these are our children that are going to violence. It is not always being imported.

As we are going around the county, teaching large populations that we are returning the responsibility of policing back to them, that it is no longer the responsibility, I think, of the police to be responsible for their children, that they have to share in this case and the responsibility of that. It is their children that is causing the crimes, and we are only going to be able to assist in this partnership.

We do not have, and never will have the ability to deal with the numbers, to do it without this partnership. Thus a bunch of great concepts are flourishing.

A citizen police academy, a youth academy, the Explorers, and the Police Athletic League. I would like to take a few seconds and talk about the Police Athletic League.

We started about 12 years ago, realizing that the children were driving, as we developed a corporate strategy, driving our demand for services, and in this area, prevention—I think we all believe that when they get into the judge's court, it is a little bit too late. And that the future I think of this State and the county is really on preventing them from coming into the court. And that is done through prevention.

So we sat about doing some early research, 10 to 12 years ago, which resulted in several years ago, forming a corporation, and raising $3 million, and footing the billing, in what was considered a high-risk area, to see what if police officers who had knowledge, and police who got involved in the prevention angle. But very difficult when you run a police department, when you have to decide whether you are going to buy uniforms for the steppers that wear vests—you are not going to be able to do much in the way of prevention. I might stop and add that our county executive is behind me, today, Dennis Greenhouse, and he has been a big supportive in all of this.

We then went about——

Senator BIDEN. By the way, I highly recommend—I know probably the panelists have done it—you ought to go see a facility that they built, this Police Athletic League facility. It is absolutely incredible, and I realize you probably do not have enough data to make hard judgments about what kind of success you are having or not having yet; but it is one heck of an operation.

Mr. GORDON. I am certain that we are seeing success. It is less than a year, it is a little too early to statistically report it. But if I could talk about the principles behind it and the reason behind it, was, again, to try to do something about, and outside of the public sector, about what if we took our knowledge of policing and we brought it into the private sector.

We were able to attract—it was all built with the community support, corporation support, no Government money with the exception of the park that we put it on.

What some of our experiences, to date, have taught us, some of it we expected, some of it we did not expect, that none of these kids are criminals.

They do not start as criminals, they do not have serial numbers on them. That they are young people, they are energetic, they are talented. Some of them are sexually active, and they are all looking to be special, and they are looking for self-esteem.

As I say, I think a lot of the planning process, in future years of the county, when you put thousands of kids in an area with nothing for them to do, as you know, Senator, and we know, growing up together, we often said—you recently said there was a thin line between us getting in trouble and us not getting in trouble.

And some of that goes on with these kids. Oftentimes, before this park, we escaped to a finer way, into one of my police cars on a

Friday night, for lack of something better to do. Now, when you have 150 kids tied up in some activity at the center, the police officers that were normally out in cars are now inside, because they do not have a whole lot to do, except to try to manage these kids through the young years.

We did find out in our research that these kids are at risk, and many of them are at risk because they're failing in school, as early as third grade.

Without trying to take that problem on, through a grant through your office, we were able to hire a teacher, and we realize that it does not do these kids any good to engage in sports if they also cannot get into college.

So to become a member here, you have to surrender your grades, and if you are below a C average, you have to be in a tutoring program.

We are seeing great, great success. We think we had a high teen pregnancy rate over there, as you do in a lot of areas of the county; but if you keep the young girls busy during these times, where statistics show that it is occurring, we were starting to see some tremendous decreases.

These are young girls, had, again, nothing to do, except get into trouble in a lot of cases. Now they are involved in a multitude of activities and are beginning to be interfaced with kids from all the areas of the county, that may have more opportunities for success, and we are beginning to teach excellence, beginning to teach role models, with the benefit of what we think is a tremendously talented force policing in Delaware.

We are able to have police officers come in here, and act and change the culture, and act outside their role, and as role models. Also, the tremendous benefit of the corporate sector to allow us to draw upon their resources and some of their talents as role models.

We think we are going to be able to hopefully create a model that we can use throughout this entire State, to begin to cut down on some of this problem, that is tremendously out of control.

Guy Sapp, to my left, was involved in the early stages of it, and there have been a lot of people involved in it, and I think it has been a very, very rewarding experience, and I do believe it is one of the only few things that I can say, that I think can provide a solution to prevention, could provide a solution to these kids being arrested, staying out of trouble, and maybe begin to solve some of the root causes of crime.

Senator BIDEN. Thank you very much, colonel.

Mr. SAPP. Chief, welcome.

## STATEMENT OF GUY SAPP, DIRECTOR OF DIVISION OF REHABILITATIVE SERVICES, AND FORMER POLICE CHIEF, WILMINGTON, DE

Mr. SAPP. Senator, I want to welcome you to the campus of the department for services to children, youth, and their families. Good morning.

As you mentioned, I started my career in the criminal justice system, in law enforcement, and I hit the streets of Wilmington in 1971 and spent the first 5 years primarily on the east side of Wilmington on the patrol division.

And I cannot recall, in those 5 years, taking a gun off of a single juvenile. In fact I do not think I took too many guns off the street in that entire period of time, and we dodged a lot of bricks and bottles, kind of a phenomenon left over from the civil disturbances of the late 1960's.

But to look at the weapons that are coming off of the street today, and the ones that I saw towards the end of my career, is appalling.

But I think it is an indication of how much society has changed in the last 25 years.

What I would like to tell you about, first, is how things have changed in just the 2 years that I have been here.

I came to the department in June of 1993. When I took over Youth Rehabilitative Services there were 47 young men at Ferris. In February, we peaked at 96.

At the New Castle County Detention Center, which had just opened, there were 22 youth. We peaked at 64, and today, there are 57.

And at the Stevenson House, the detention center for the lower two counties when I arrived, there were 12. Last summer, we hit 39.

February 1, 1994 there were 127 youth in Secure Care, and there was 3 institutions.

February 9, 1995, there were 185, 58 more youth in just a year.

We have doubled our numbers across the board. Alternatives, as Judge Poppiti mentioned, have risen from just under a 100 to over 200 at this point in time.

In fact the increases in our populations across the board have averaged 74 percent from 1990 to 1995, with the biggest increase coming in alternatives, where we have realized a 243-percent increase in the number of placements.

What is really disturbing is what happened to us in February and March of 1994. And we saw a significant change in the average populations across the institutions.

We began to study it, and realize that there had been a change in the type of activity by youth across this State, that they were involved in more serious and violent offenses, that their behavior had become so chronic that the court had no choice but to institutionalize these youth.

And at the New Castle County Detention Center, where we have a computer-based statistical analysis, we have seen an increase from about 2.1 superior court youth a day in 1994 to 7.4 superior court youth per day in 1995.

Senator BIDEN. Explain that to me, when you say you see from 2.1 to 7 point what?

Mr. SAPP. 7.4.

Senator BIDEN. In the superior court. In other words, people under the age of 18 in the superior court?

Mr. SAPP. Well, the detention centers serve as a pre-adjudication holding facility.

Senator BIDEN. Right.

Mr. SAPP. And on any given day in 1994, there were 2.1 youth awaiting trial in superior court at New Castle County.

Senator BIDEN. I see.

Mr. SAPP. That number is now 7.4 per day, and I expect that by the end of 1995, that will go up even more.

Senator BIDEN. And that is a reflection of the severity of the crimes for which these youth are accused. Is that the point you are making?

Mr. SAPP. That is correct.

Senator BIDEN. OK. Thank you.

Mr. SAPP. In fact today, one-fifth of the 57 youths being detained, 12, are awaiting trial in superior court, several on murder charges.

The department has mounted many initiatives to respond to this increase and youth coming into the system. We are building a new $14 million facility to house 60 to 72 youth who are convicted in both the superior and family courts.

We will be opening two new cottages in the next several months, one to serve 14 females, and one to serve 15 males in a short-term approach.

Senator BIDEN. For the record, and the reflection of the committee, when this report is made available, this hearing data, in Delaware, if a youth, that is, someone 15, 16, 17 years old, is tried in superior court, and convicted in superior court, and sentenced, do they serve time in the adult correctional center, or do they serve time in the juvenile correction center?

Mr. SAPP. At present, once committed by superior court, they generally spend up to their 18th birthday with us, and then are transferred to the adult system.

Senator BIDEN. So notwithstanding the fact a juvenile can be convicted in the adult system, that is, the superior court, they cannot be transferred to the adult prison system until they reach their 18th birthday. Is that State law, or is that policy?

Mr. SAPP. There are two exceptions. Last June, two bills passed that enabled the division, YRS, to transfer, administratively, superior court-convicted youth who were not faring well in this system. So that if they acted out, tried to escape, or assaulted, we could administratively transfer.

Senator BIDEN. I see.

Mr. SAPP. The second bill allowed for a family court judge, during the detention phase, leading up to the decision to transfer to superior court, to make a decision to transfer the juvenile to the adult system. That has happened in three cases, one administratively, and two through the family court.

And I might add at this point, that the Governor has an initiative, that by August of 1998, any superior court-convicted youth, and that would be 16- and 17-year-olds, will be sentenced and serve their time in the adult system.

Senator BIDEN. I see.

Mr. SAPP. So there will be a fundamental change in the way we deal with those 16- to 17-year-olds.

Senator BIDEN. Thank you.

Mr. SAPP. We also are expanding the Meld's Cottage, trying to create more space. We are trying to bring to fruition an emotional mental health contract, that for the first time will give us in-State capacity to deal with youth that are currently placed all over the country, with those types of problems.

As I have already mentioned, the alternatives is expanded by twice its capacity over 2 years ago. We are going to add 16 beds to New Castle County Detention Center. We are going to be hosting a gentleman from South Carolina in the next week or two, who is going to discuss with us the possibility of a community-based project that will deal with youth in their community and in close concert with their family, trying to deal with what has been described, predominantly, as a conduct disorder group, a growing group of youth that are in need of attention.

We will also be collaborating with schools this year. There is money in the State budget for this department to provide intervention and prevention services in the schools, trying to keep youth from coming into the system.

And probably one of the most important efforts we have underway at this point is an evaluation of all of our components, our alternatives, our community-based services, and our secure care, to try to determine what is the most effective approach with a particular youth, and where we get the most for each dollar we are spending.

And we do have some needs. We believe that we need to strengthen our after-care component, and rely more heavily on the family and community.

And when those supports are not present, provide transitional and independent living situations. I think one of the biggest deficits in the system, nationwide in this State right now, is in that area, primarily because we can work wonders with youth while they are with us; but if you send them back to the same dysfunctional family, the same dysfunctional community, it is just a matter of time before they are back in the system.

Senator BIDEN. Yes.

Mr. SAPP. We also believe that we need to develop programs that provide strong staff-to-youth relationships. We believe that people make the difference and not necessarily the program.

While we believe that we need to incapacitate and rehabilitate, we must continue and expand our prevention and early intervention programs.

We must find a way to do both in meaningful ways, and it will not be cheap. We must not rob prevention to build more institutions.

Specifically, we believe that the Federal Government can be particularly helpful in assessing programs and determining what works best, given every dollar that is spent in this State.

What does the future hold? It does not look very bright at this point. The demographics indicate that we will see a growth in the cohort group, that is, the youth in the 10- to 17-year range, through the year 2010.

And what is particularly disturbing is that group has been tapering off, and has become smaller in the last several years as juvenile crime has risen. So if it is going up as that cohort group, and it is going down, we can only anticipate that the numbers will go up as that group grows, through the year 2010.

We must be prepared to program and provide for those youth. When you aggregate this by some of the socioeconomic factors that we know contribute to delinquency—poverty, dropout rates, single-

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parent households, and lack of opportunity in the job market—the future looks difficult at best.

We hope to develop in the near future a prediction model that will better enable us to be proactive rather than reactive.

And again, we believe the Federal Government could be helpful in this area.

It is clear that we have our work cut out for us, but we must find ways to effectively deal with the family, community, education, and peer group issues that place youth at risk, and ultimately in our system.

I want to thank you for the opportunity to speak today, and for your interest in this important issue.

Senator BIDEN. Thank you very much.

Now I have questions for each of you, and I would invite anyone to chime in.

But before I do that, we have some very distinguished people who are fully qualified to be panelists, but for a whole range of reasons are not. But I would like to recognize them in the audience.

First and foremost is Dennis Greenhouse. Not many Delawareans know, but he has been the Chair of the Criminal Justice Committee for the National Association of Counties, NACO, which is one of the largest governmental bodies in the Nation, representing more people than anyone but the Governors in the Nation.

And I welcome you, Dennis. And I want to thank you for your tremendous help. Dennis may not want to take the blame, or the credit for this, but he is—I mean this sincerely, my word—in no small part responsible for the passage of the crime bill, because when things looked awfully bleak, I asked him to gather up a group of Republicans and Democrats, and it was mostly Republicans you gathered up, to come in and sit with me for literally hours.

And we were able to convince their colleagues how important this was. I want to thank you, Dennis, and for chairing the committee which is implementing much of this.

And also Rev. Chris Bullock who has been very involved with youth. He is in the 8th Street Baptist Church. I saw Reverend Bullock in the back.

And Rev. Jesse Walker was here. I saw Jesse. Reverend, nice to see you. Thank you for being here.

And a man that I wanted to grow up to be like, but never had the skill—Anthony Anderson, a former Steeler football player. There he is. Tony, good to see you. I tell you what: If I did my job as well as you used to do yours, I might not have to go back to Iowa. [Laughter.]

And Ron Mead, Department of Public Instruction is here as well. Ron, thank you for being here.

And Joe Doleo, who I have worked with, we have all in this room worked with over the years. I remember back as far as 1984, when I drafted a thing called the Victims Of Crime Act, and for victims of services, Joe was the guy who educated me back then. I hope I have learned a little bit, Joe, from you, but I have listened, and I want to thank you.

And also, I would like to ask, before we go any further, a lot of you have been looking at this array of weapons in the front here.

Colonel, these are all confiscated, as I understand, by your officers, from juveniles. Is that correct, or am I incorrect?

Would you describe——

Mr. GORDON. That is accurate. The county is no longer, I think, the vision that you have, a Sleepy Hollow community, a bedroom community. These are what the officers brought into on a daily basis.

The drug problem has aggravated it, but a lot of these are nondrug related, could be anything from——

Senator BIDEN. Now let me ask you, would you be willing to have one of your officers come up here, and tell—or you? Because I think it is important for people to understand this. At least it was for me.

As I understand, one of these 9 mm, I believe this is a 9 mm pistol, is that correct?

Mr. GORDON. Yes.

Senator BIDEN. Now I am told this was apprehended from two suspects. One was 13 years old, and one was 15 years old. Is that correct?

Mr. GORDON. That is right.

Senator BIDEN. Can you, Officer, come up and identify yourself and tell us a little bit about these weapons.

Mr. HARDIN. Yes, sir. I am Officer William Hardin from the county police.

Senator BIDEN. And what is this one?

Mr. HARDIN. That is a Lama brand 9-mm handgun, and that was taken off of two prospective drug dealers. Again, one was 13 and one was 15. They were found in the possession of quite a bit of cocaine as well as that weapon, and they use that for the protection of their dope.

Senator BIDEN. This is a 9 mm?

Mr. HARDIN. Yes, sir; that is similar to what we carry.

Senator BIDEN. For people in the audience, if I were to—which I will not do—point this weapon, at this range, at any one of the people on the panel, or the photographer there, and fire into the chest, what would be the effect of that?

Mr. HARDIN. You could pretty much not bother to call any paramedics, because they would be dead.

Senator BIDEN. Now, can you describe—I am told there is this Tec-9, which is a weapon that was—who was that confiscated from?

Mr. HARDIN. That was confiscated from a female. She was 16 years old, and she found that it was, in her words, cool to hang out with drug dealers. So she was in possession of that while she hung out with these drug dealers.

Senator BIDEN. A 16-year-old woman?

Mr. HARDIN. Yes.

Senator BIDEN. A young girl. All right.

And I am told that this weapon is one that I should ask you about.

Mr. HARDIN. That is a 380, also a semiautomatic handgun. That was taken off of a 16-year-old suspect who had requested a cigarette of a juvenile victim, and when the victim said that he did not have any, he took out the gun and pointed it at him, and threatened to blow his head off.

Senator BIDEN. That's nice and social.

And the rest of these weapons here are weapons that were confiscated from juveniles?

Mr. HARDIN. All from juveniles; yes, sir.

Senator BIDEN. All from juveniles. And I am surprised that a kid, 13- or 14-year-old, could hold this weapon.

Now, Chief Sapp, you said when you were on the east side of Wilmington as a patrolman for 5 years, how many times did you confiscate things like this?

Mr. SAPP. I cannot remember ever taking a gun off a juvenile in those 5 years.

Senator BIDEN. Thank you very much, officer.

The reason I bothered to do that is that we often have these kinds of displays, but this is not something that is happenstance. I mean, this is not something that is just for show. Can you imagine a police officer worrying about walking up to a 13-year-old kid, and worrying a 13-year-old kid may present you with this, pointed at you? Thirteen years old?

There was a university that one of my sons attended, and a fine institution, and always rated somewhere between 6 and 10, as one of the finest universities in America. Stopped by last year as they asked me to speak there. My son came up with me. He has been out of the school for some time.

We were talking about it, and I kiddingly said to the president of the university: I said, Well, maybe my daughter will be coming up here. And the president of the university, a female, said, I am not sure you want to do that. And I asked why. I mean, this, literally, is one of the finest academic institutions in America.

And I said why. And her response was, Well, the problem has gotten worse up here on campus, to the point that 10-year-olds were pointing 9-mm weapons at college students, and robbing them on the mall in the campus. So they put an obelisk right in the center of this, one of the finest, oldest universities in America, where they have city police in the dead center, middle of the campus, because 10-, 11-, and 12-year-olds are holding up the students at gunpoint.

And so this is real, this is not something that is just a matter of a total of six of us who have jobs in the public sector that we are interested in trying to justify the existence of the jobs. This is real stuff.

Let me raise a couple questions with you all, and, again, I know your time is busy, and we are almost running on schedule here. Our next panel is supposed to begin at 10:20, but it will be a few minutes later than that.

Let me say that it seems to me that several things have happened of late.

One is that there is an emerging consensus on a lot of things relating to the criminal justice system, still wide variances in the things we should do; but there are certain things that are emerging. And I would like to name them, and then talk about where we might differ, and where we might see different views reflected.

I might add, although prevention has become a political football, the fellow who most helped me pass the crime bill in the first instance, even though I had drafted it, but I went to him for help, was Phil Gramm. Phil Gramm is one of the most conservative U.S. Senators.

And Phil and I agreed—and this is on the record, I am not telling tales out of school to hurt his chances by acknowledging that he is a friend. That could hurt him in a lot of sectors where he is trying to get a nomination. [Laughter.]

But all kidding aside, I mean this sincerely. We agreed, for the first time, we were going to try to walk and chew gum at the same time.

We were going to get much tougher on recidivists. We were going to get much tougher on the 6 percent of the population that commits 60 percent of the crime.

We were going to provide many more resources for local police, with no strings attached, or very few strings attached.

I might add that, as people here can tell you, all the new cops that have come to Delaware, they have come from the consequence of a one-page application form, no Federal grantsmanship required in this area.

And we also agreed there is a need for more prisons, which is a part of getting tough. And we agreed there was a need for more prevention. And that was a consensus. That passed the Senate, overwhelmingly. And then we got into a political year, which it does not matter whether it is Democrats or Republicans, it is all the same, you know, and it was decided that if this was one team's idea, it must be a bad idea, even though we initially had consensus.

But nonetheless, even though people do not admit in Washington, there is still a consensus on those three items.

There was talk about drastically changing the crime law. The House did, and the Senate, led by Republicans, said, Wait a minute, it is not such a good idea to change this law.

If you notice, there is no crime bill in the U.S. Senate, and if I had anything to do with it, there will be no change in the crime bill as long as I am in the Senate, and that is because of Republicans as well as Democrats sharing that view.

But what I heard here this morning was that, one, Federal grants can help if we keep our mitts off, if we provide you the resources, give you some general guidance, and let you decide how to use it best.

The second thing that I heard here is that there is a need for some degree of certainty when those grants are offered. You cannot plan from month to month. You have got to know that if you are going to plan on a Federal grant, for whatever the purpose, that assuming it makes sense, that you can have a time line in which to plan your budgets and the State budgets.

A second thing that I have heard here today, and I want to follow up with some questions on each of these as I tick them off, and find out whether there is disagreement on this general consensus, as I see it, is that victimization is the spawning ground for criminal behavior among youth.

And that there is a lot more, and a lot that the States have done, a lot more that the States can do, and possibly what I want to get to is whether there is anything that, federally, we can do.

I had started off focusing my legislative efforts in the crime area on that issue, and I authored four different bills. They are now law now, but I think they need to be augmented, improved, and I think that the States can do more.

One was a 1984 Victims of Crime Act, which I mentioned discussing with Mr. Doleo. The 1990 Victims Of Child Abuse Act. The 1993 background check, which I dubbed the Oprah bill, because she was so helpful in getting it passed. Oprah Winfrey. And the 1994 crime bill which has a whole lot of juvenile justice items to it.

But it seems to me that we have all sort of—there is a consensus we are not doing enough, whether it is the Federal Government or local. But there has got to be more focus on that.

The third area on which there seems to be consensus is on drug treatment. Drug treatment works, depending on what you set out as your standard for working. If you require a 90-percent rate of cure, well, then it does not work. Then again, our school system does not work. Nothing works.

We do not graduate 90-percent of the kids who enter school. If we shut down everything that did not have a success rate in the 90 percent range, then we would not have a military, we would not have an education system, we would not have much of anything, because we do not have those kind of success rates.

But I think part of our ethic, as Mr. Sullivan suggested, that somehow we, by implication he suggested anyway, I think, that we think we are rewarding people when we put them in drug treatment, when in fact we are rewarding ourselves, if we are smart about it.

And the fourth area that seems to have some consensus is early intervention. Early intervention. And we have looked to the social sciences to help us determine early detection. We do have a Bill of Rights. We cannot intervene, government's heavy hand, locally or federally, in families.

But I suspect if any one of us were taken to any schoolyard or playground in this city, in the school year, or this summer, and observed the kids on that playground for a week, we could pick the at-risk kids.

You do not have to be a rocket scientist. You could take any one of our moms there, and she could tell you who the kids are the at-risk kids. But unfortunately, society needs more than that in order to identify and isolate, for help, not isolate for segregating, but isolate, for help, those children.

And the last thing is this notion of—the fifth thing—there seems to be some emerging consensus on—it is not enough to do it all, and then drop them out of the end of the pipeline without a followup, without some aftercare, or maybe that is not the right word. But some followup.

As I was saying to Mr. Sullivan before the hearing began, according to most schools of social science and social policy, and many of you in here are trained and have backgrounds in that area, they tell me that a caseload for a caseworker, whether it is a probation officer, or a caseworker for juveniles, who technically is not a probation officer, should be about 30 persons.

The average caseload nationwide is about 155. In Pennsylvania, it is about 280. We are right at about the national average here in the State of Delaware, and they tell me you cannot get much done that way.

So what we have done in the name of—I do not know what in the name of—but since I have been a U.S. Senator, we have incrementally, but consistently cut the number of people involved in aftercare because of our limited resources, because of changes in philosophy.

And so now we have someone that gets out of the system, whatever system they are in, and there is very little followup, and everybody tells me that intensive followup is needed for the first year, or so, after these kids get out of, whether it is a drug rehab program, a prison system, a sentence that does not involve incarceration. There needs to be followup.

So what I would like to do, if I may, is speak to, and ask some questions relating to those five areas, and one more than I would like to start with.

And that is the role of the media. I know none of us—I should not say none—I am not qualified by a background in education. Maybe some of the panel is. But I am not qualified to make a professional judgment about whether or not violence on television and violence in the media has any direct impact on the behavior of kids, except having read a number of the studies, you show young children these programs, you put them in a setting where they are being observed through the two-way mirror, and you have one of these programs on that engages in violence, whether it is the cartoon characters or whether it is other programs.

And when it is finished, just turn it off, and effectively leave the room, and physical behavior changes. Kids act more violently with one another, even if it is fighting over blocks, or engaged in discussions of who sits where. Things change.

But I do not have enough data to know that. I would like to ask you all the general question, Should we, notwithstanding—assuming we can do it, or maybe even assuming we cannot do it without impact on the first amendment—should we be looking at that?

Is that a worthwhile thing the Federal Government should be focusing on, is violence in the media?

Ms. BRADY. Absolutely.

Senator BIDEN. General Brady, you think we should?

Ms. BRADY. Absolutely. I mentioned, in my initial comments, there are two things that I see happening in the media, that are clearly reflected in my contact with students and youth.

First, there are concepts, conduct, and literally perverse activity demonstrated within the media, that place ideas in children's minds, that as I said in my comments, even grown men in their entire lifetime never contemplated sometimes, before.

And children are exposed to it at a time when they haven't formulated the self-identity to understand, and the ability to resist engaging in——

Senator BIDEN. That is right. You know, this 16-year-old girl, we are told by the police, had this weapon because she thought it was cool to have this weapon.

You watch every one of these action movies and action programs. There is somebody running around with rippling muscles, or, you know, bursting out of their tank top, carrying one of these, and firing at will.

It is amazing to me how much kids identify this with adulthood, with power. And again, I do not know enough to know whether or not there is an absolute direct correlation, but Judge, in your experience, what do you see as the relationship between the media and the——

Judge POPPITI. So long as violence is considered entertainment, and so long as toys are actual weapons, I think there is a commonsense correlation.

So long as violence is entertainment, and so long as toys are real, there is going to be a connect.

And I think we are seeing it more and more and more. So long as the weapon of choice to take into the school is no longer the pen knife, or the switchblade, or the zip gun, and there are these things, the weapons of choice will be these things.

Senator BIDEN. Colonel, let me ask you a question.

What kind of comments do you receive from the kids that are apprehended with these weapons?

If you ask a kid, a 13-year-old, why they would choose to buy or purchase a 9-mm weapon, or a 16-year-old kid choose to purchase one of these two weapons as opposed to a 22 pistol, or as opposed to a knife—I mean, is any movement—I mean, do they ever explain their rationale for it, or is it just these are just easier to get?

Mr. GORDON. No, it usually goes toward their status. They can handle it better with this, and I think a lot of it is perception, their own uplift, and a lot of that could be contributing to it.

But it certainly is a status symbol. The bigger the gun, the more important, in a lot of cases, they believe they are.

Senator BIDEN. Because that seems to be the evidence, that there is a relationship between the weapons, and again, I cannot recall the last time I saw a television show where, regardless—and these are all powerful weapons—where they would choose to have a handgun this size, lethal, a handgun this size, as opposed to a handgun this size, to make the point in the television.

Now I am not here to suggest that violence cannot be, and is not an essential part of art. It can, is, has been. But it seems to me there should be some way where we should aid parents without violating the first amendment.

Let me ask you specifically about aftercare. When did you first go on the family court, Judge? Not as chief.

Were you on family, then superior, then family?

Judge POPPITI. That is correct.

Senator BIDEN. And you went in the family court how long ago?

Judge POPPITI. Fifteen years ago.

Senator BIDEN. Fifteen years ago. Is there any difference between when you would—it seems to me family court judges have a difficult decision. .

They have an at-risk kid, a kid who has violated the law, but maybe not violent behavior yet, but you worry that that is what is coming, and you look at the family. Or you look at the lack of a family. You look at the environment in which the kid comes from, and your instinct tells you, and experience, if you send them back into that, you are likely to have them back before you with something more serious.

The judgment you make, are you able to rely upon—I am not asking you to comment on the individual talent of the people I am about to mention. I am asking you to comment on the panoply of services and the extent of the intense followup you are able to anticipate.

Is there a difference between 15 years ago and now in the kind of aftercare help that you assign someone to a nonjudicial officer, someone other than under the control of Mr. Sapp, who is running the services for—I mean, are there caseworkers, are there probation officers that—do they have the time to follow up?

Judge POPPITI. I think you just put your finger right on it, Senator. I think the difference between the numbers now is the numbers are more significant and the resources are more lean.

I can remember when I first served on family court, that aftercare, if you will, was done by probation officers or assigned to the court. And the judges had time to even do hands-on work with those juveniles that they felt were perhaps higher risk.

No one has the time to do that anymore, and I am not sure that the resources are there to provide that aftercare, or probation.

As Guy suggested, it is going to be an area of concentration, I would expect, in the next year or two years.

Mr. SAPP. We are not as bad off as the national average. Right now, our community-based services officers, or parole officers, probation officers, are in the 50- to 70-case per worker range, and we would like to get that back down, and our goal at some point is to get back to the 30 and 35 cases, that we believe are really manageable.

One of the things that I think is going to happen in the State, that has already begun, is that community centers, other nonprofit and community-based organizations are going to begin to take on responsibility for aftercare for these youth in their respective communities.

And until that happens, with the volume we expect over the next 10 to 15 years, the State, the Federal Government, is simply not going to be able to keep up, keep pace with it.

Families and communities have got to get involved. They have got to take responsibility for these youth in their communities if we are ever going to work out this problem.

Senator BIDEN. You know, one of the things that concerns me the most, to be honest with you, and it is something that may surprise you, that Jane Brady and I agree on, and separately speak to, and that is, my concern that the Government over-promises what it can and cannot do.

And one of the things that concerns me the most, when I sit down to vote on or draft legislation in this area, is that I think people are mildly skeptical about any assertions or promises we make as elected officials, that if we do this, then this behavior is going to follow.

And one of the areas, when we talk about, Guy, we talk about having the families take more responsibility, the truth is there are no families to take responsibilities for a vast majority of these very kids, the most violent we are talking about.

And when we talk about aftercare, the kind of aftercare I am talking about is what Mr. Sullivan was talking about. He talked about the need to give—correct me if I am wrong, Larry—the need to give the judge enough discretion, that he, or she cannot only sentence someone to a physical facility, but can dictate what happens to them after they leave that facility as a part of their original sentence.

And in the drug court legislation, we are going to hear from a guy that I have grown to have a great deal of respect for. I never failed to have it, but as I have worked with him, I have observed how much he knows about the area. Rich Davis, State representative, who is going to testify in a while, along with Judge Gebline and others. Judge Gebline will not be testifying today.

And that is that in the drug court setting, that we have set up, federally, to allow States to take advantage of, that is precisely what works, we found, and what does not work.

Only when you not only put someone into treatment, but insist that after treatment is finished, that they must either maintain themselves in school, must maintain their job, must in fact continue for 2 days a week, intensive supervision by a named probation officer—unless you do all of those things, even though the drug treatment works for the first 6 months, 8 months, maybe up to a year, you have an incredible recidivist rate.

But in the drug court experience, when you provide for that kind of followup, which is costly and intensive—that is why we put a billion dollars, nationally, in it, for the national drug court system.

And by the way, I am not being solicitous. Judge Gebline is the reason why I wrote that legislation. He was the guy who gave me the idea as to how to do that, and he is now—as a matter of fact the President asked him to head up the entire operation for him, nationally, and he chose to stay here.

I do not know that everybody knows he was asked, but that is what he decided. The point being, though, that this intensive follow-up, it is costly. Is that the kind of thing you are talking about, across the board, in the juvenile justice area, giving a judge the discretion to say, OK, if you do not go to job training, if you do not stay in school, then you do go to jail?

I was not quite sure how you——

Mr. SULLIVAN. There would be two aspects of it. No. 1, the judge, at the time of sentencing, would prescribe what the needs were for that particular defendant while incarcerated, and further set conditions that would impact that offender, once released. And the types of things that you are talking about are conditions of release, such that if the juvenile or adult did not comply, that he would find himself back, incarcerated.

I think the thrust of what I was saying was, that if you expect these individuals to succeed after they are out of prison, or out of their period of incarceration, then you have to make them productive while they are incarcerated.

And the judges have to, in my opinion, direct what happens in the prison setting.

Senator BIDEN. One of the things that Mr. Sapp, you, in being responsible for this institution, and others, again this is anecdotal but I would like your comment on whether or not it reflects more than an anecdote.

And that is, an awful lot of the kids you get out here show up here, and find they have got their old buddies from the old neighborhood here. I mean, to come here is not to go to some isolated island in the mind of many of the kids that are here.

And to go from here, or to Stevenson House or anyplace else, back into their community, without some alteration or change in the reintegration into that community does not seem to do much.

Is there a correlation between whether or not you send a kid to a place where he is not with his buddies, or do you send him to a place where he does not know anybody?

Do you understand what I am driving at? I am not articulating it very well, but it seems like it does not seem much of a punishment.

Mr. SAPP. Peer pressure, how you associate with a peer group is one of the four major components of a successful reintegration. If the youth comes into the facility, maintains a relationship with a negative peer group here, is quite likely he is going to go back and reassociate with a negative peer group in the community.

Our focus, as we opened the new building, was to design a facility that would facilitate the normative culture and the therapeutic community. But more importantly, to re-engineer workforce, and we required that all the direct care staff in the new facility must have a bachelor's degree. And we expect those people to work with youth in our custody between a 6- and 9-month period in a way that breaks the negative peer pressure, gets a youth to a point where he can succeed on the outside, associate with positive peer groups, hopefully have a mentor to look up to in the community.

The problem is when that youth goes back to the same dysfunctional community and the same family that he has learned a lot of these behaviors from, it is very difficult to maintain the positive approach that has been learned while they are here.

Senator BIDEN. Well, that is the point. See, I understand what you are saying. What I do not understand is how we do it.

Mr. SAPP. I think one of the answers is that we have got to be able to provide transitional and independent living opportunities——

Senator BIDEN. What does that mean? Translate that for me, what that means.

Mr. SAPP. What that means is that when a youth leaves here at 16, 17 years of age, and we know that putting him back in the family, in the community is going to bring him right back, we care for that youth until he is 18, we give him the skills to live independently, we teach him how to——

Senator BIDEN. But I mean, do you build a separate house? Do you put him in a different neighborhood?

Ms. BRADY. Little baby orphanages.

Mr. SAPP. Yes, I think you have to.

Ms. BRADY. It is baby orphanages, small-size orphanages where you do not return the children to the community where they are not safe, and they are not getting guidance. That is what I am talking about, when I am looking at the victimization of kids.

And we have kids who are coming through the family court system, that the court is aware are in environments that are not safe, and we are not providing alternative placement for those kids before they get to Guy Sapp, to prevent them from becoming offenders, by helping to reduce the—I mean, kids go to sleep at night not knowing what is going to happen at 2 in the morning. They are probably going to be pulled out of bed, kicked, beaten, maybe raped in their own homes. They cannot sleep. We hear the story all the time.

Mr. SAPP. And one of the other things that we want to be stronger at in the future is working with the family while the youth is with us, so that the family is stronger and able to provide a better environment once the youth goes back.

But in those cases where you simply cannot work with the family, mother and father are not there, maybe grandmom is filling in, and she just cannot do it, then I think we have got to find better ways to deal with these people.

Senator BIDEN. Larry, and then Judge.

Mr. SULLIVAN. You know, about a year ago, I was on a tour with some legislators through the prisons, again at the adult level, and I said that this tour is not complete unless we go through the projects, go through the public housing.

Someone once said that if your prisons are nicer than your public housing, you are in deep trouble. And I can tell you this, both at the adult and juvenile level here, we are in deep trouble, because the facilities that are here, that Division of Youth Rehab have, are excellent.

The adult facilities are excellent at all levels, and they are generally better than our public housing. And certainly, the resources, you know, are there.

So when you said a minute ago, it is not much of a deterrent, consider this. Someone wakes up in a project, no food in the refrigerator, no job, no schooling, no training, no hope, drug addicted. When they are walking up the street, they want to get something to eat, they want to feed the kids. Why not knock off the 7–11?

If they knock off the 7–11 and get some money, and do not get caught, they are ahead of the game, in their mind.

If they do get caught, they go to a place that is nicer than from whence they came, where they get three meals a day, medical and dental, widescreen TV.

We really have to take a look at things beyond the traditional criminal justice system. Public housing plays a big role in the rehabilitation of these individuals. It has got to be adequate, and oftentimes is more than adequate.

Senator BIDEN. Judge.

Judge POPPITI. We did the right thing, about 20 years ago, when we did away with the draft, because we did away with it for the right reason.

So when we replaced it with nothing, we have lost now close to three generations of young men and young women, even though they were not subject to the draft, when we did give them training, discipline, money, a job, and something to look forward to.

On the front end of this, in terms of prevention, we have got to figure out how we can get back to those years where we were giving something to young people, other than the education we are supposed to be giving them.

Senator BIDEN. One of my concerns is this. I do not think that, speaking for myself, as a Federal legislator, I do not think I should attempt to act and pass laws, or appropriate moneys that do not have a reasonable prospect of working.

And so I am not being over-critical here. That is why I am so proud of the crime bill. I think that stuff is direct, it works, and I think there is evidence it works.

Conversely, I get confused here, because one of the things that I—and I want to put this in the form of a question. The idea that when you have 71 out of every 100 black children who were born 2 years ago, in the last data we have, were born into a home without a father, out of wedlock as we used to say, and no reasonable prospect there will ever be a male figure in that home, 49 percent of all the Hispanic children in America, and a staggering 27 or 28 percent of all the white children, which makes the other two populations, in volume, dwarfed by comparison, dwarfed by comparison.

You have somewhere in the mid-30's. Of 35, 38 out of every 100 children born in 1993, in the United States of America, born into a household where there will never be a male figure, not that we males are all that hot—but there will be no male figure. There will be one parent for the entirety of that child's adolescence, and there is a 5 times greater likelihood they will live in poverty.

Now, when we say "involve the family", the idea of involving the family—there is no family to involve, if the statistics you have given me, and that I have read, and studied are correct. You have somewhere approaching 65 or 70 percent of all the children, under the age of 18, convicted of violent offenses, come from a single family, living in poverty, and without any reasonable prospect that they have gone, completed their education, and usually drug addicted.

One of the things we did, and I would like to ask your comment on this—one of the things we did in the national crime bill, which maybe is important to help the States give seed money to do even more with, is this drug treatment.

One of the things we figured out after 20-some years, and Mr. Sullivan knows this better than I do from his professional work, is that there is no distinction between success in a forced setting, that is, drug treatment in prison, and somebody who voluntarily says, I want drug treatment. The success rate is the same.

We used to think you had to really want it before it helped. Well, that turns out not to be true. And so in the national crime bill we put $270 million for seed money for the States to provide adult drug treatment in the prison system.

And we put $100 million in the system for seed money for States to provide juvenile drug treatment. And I wrote into law, absolutely mandatory, any Federal prisoner—granted it is easier, we have fewer, there is only a million of them—but any Federal prisoner in the system is required to have drug treatment, cannot be released, must be drug-tested before release.

If, at the time of release date, is drug addicted, must stay in the system, and is subject to random drug testing. As an element of their probation, for a significant period of time, from 2 years on, to as many as 5 years, as a condition of release.

Now, where it has been done on a specific basis, it has shown real results. But there seems to be a great reluctance for States to share that view, because I think—and I am not being facetious—it kind of violates our puritanical work ethic, that somehow, we are going to take money and spend it on making someone better who has done bad things to us, so somehow we are doing them a favor and not us a favor.

So my question is: Do you think that it is a useful thing to have mandatory treatment in the prison system, and as a condition of release from the system?

Last year, what was the total number released from prison who were drug-addicted? 200,000? I think it was 212. Or over 200,000 people, after having served their time, in the State prison system, last year walked out of those gates with a bus ticket and drug-addicted.

As they walked out the doors. 200,000 drug-addicted, after having served their time. And we all know—you all know better than I do—the General can tell you—if the national average is the same as the State, 154 crimes committed a year per drug addict in America, unless their old man owns a bank, they have got to get the money somewhere. Not all felonies; but mostly felonies.

And so my question is, Should we be putting more emphasis on drug treatment in prison? And as a condition of release, and a condition of probation, random drug testing, a requirement to be drug-free, or back into prison? Is that a sensible approach?

Mr. Sullivan. Yes, it is. As I said, in Delaware, 70 to 80 percent of the people who go to prison are full-blown addicts, and only 5 percent are getting treatment.

Applying those statistics to Delaware, that means probably 3,000 people have gone through the prison system, annually, and have not gotten treatment when they needed it.

In addition to mandating drug and alcohol treatment in the prisons, we ought to mandate education for those who have the capacity to succeed with the education program.

We should further mandate drug training with the education program. We should further mandate job training, job skills training for those who can succeed.

Now, I keep on saying "those who can succeed" because we have done some studies, and the people that we have represented over the period of time are not particularly intelligent. We have got studies showing that, on average, they are 85 on one skill, 86 on another, and 79 on a third, in terms of IQ, recognizing of course that IQ is not the end-all in determining someone's capacity.

But whatever we do with these individuals, we have to hold them accountable to the level of their capacity. If they do not have a chance of succeeding in something, we should not beat them in an effort to get them to achieve.

We ought to do a substantial needs assessment before we send them to prison to determine what their needs are, and they ought to be held accountable to perform up to their full capacity.

Ms. Brady. Senator, two comments on that issue.

First, it is not unusual, in our sentences in Delaware, for years now, to provide for keeping a job, getting education, or being subjected to random drug testing.

The problem is that within 4 months, or so, an entire budget, annual budget for random drug testing is fully utilized, and there is no resources.

So, if you mandate that there be random drug testing—and there are fairly inexpensive tests now that can be done—we need funds to do that.

Second, we do have some education programs. Our Commissioner of Corrections—I am sure you have probably heard from him—has instituted a requirement for release to have an 8th grade education level, or a GED.

The final thing is that be aware that with the drug court—and I am not commenting on the good, or bad, or passing judgment on this—but with the drug court, and Judge Poppiti mentioned earlier the supervision of post-conviction used to be under the court. It then went to Corrections, and currently, in Delaware, our probation and parole system is under Corrections.

But the supervision of those involved in the drug courts program is through the courts, and so you are bifurcating, and perhaps removing assets from the general pool of probation and parole resources by diverting them to the specific fragmented aspects of these targeted areas.

Senator BIDEN. I think that is an interesting point, because that was not my intention. My intention was, in the drug courts, to provide for the States to be able to utilize whatever assets, and every State, as you pointed out, is organized slightly differently, in terms of how they deal with the components of the criminal justice system, and the after-care portions.

And if that is a problem, as a practical matter, if that limits the ability of the State to do what is intended by the system, as written into the Federal law, I would like to know, because we can change that.

The idea was to give flexibility, and secondly, I am not contemplating mandating that the States have drug treatment. I did mandate that, where I can, and I think it is responsible for me to do that in the Federal system.

What I was really inquiring—you have answered the question—is whether or not the Federal system can continue to provide seed money to encourage the States to do these things. I have worked with Colonel Gordon, and with Superintendent Ellingsworth, and others in the State, to provide for the technical capabilities the police need in order to be able to protect themselves and the community better.

And we were getting some success there, including the compilation of criminal records. I mean, in the State of Delaware, as small as we are, we still do not have one place where we have a current, absolute, current base of all convicted criminals, where a cop, when they arrest someone, can press a button and know who they are dealing with. Or when a judge has someone before them in their court, to know whether or not there is another order in another State, it is stay-away order, and the whole range.

Those things, we have been working, and the judge has been working on this as well. I put these in the same category.

What I am talking about here is to try to encourage the States. I think it works. I think it is a good expenditure. I am not the Governor. I am not the legislator. I do not think I should be telling the State what to do. But based on what I hear today, there seems to be, at least some sense, that this should be a useful undertaking.

What I do not want to do is, I do not want to be put in a position, or put publicly in a position where they think we are actually doing something, that we are not doing.

And one of the things we found out, Guy, as I have gone to the universities over the last couple years, is that we are not training as many people in the discipline of how to deal with.

I mean, literally, there are fewer and fewer schools that have, as their schools of Public Policy and Public Service—what is the school up at Penn called? I cannot think of the name; it is one of the oldest schools of social work in the country.

They do not have as many people that they are training as qualified to be hired by you when they get out, that can knowledgeably follow up with, and remediate these folks as they come back in.

We are hiring a lot of former police officers, and, by the way, I think that is not a bad thing per se. But I am not sure every former police officer is best qualified to be a probation officer.

I think a former police officer may be qualified, which is the thing that Mayor Hutchinson suggested at our hearing on Saturday. He said: "Look, you are looking for help in community policing. You are looking for help in the civilian end of this thing, and in the prevention end of it."

Why not change the State law? This is the State, not me. Why not change the State law to allow a cop, after 20 years, to get their pension, and be hired back on as a civilian with all that expertise in the police department? Their medical would be covered. Their insurance is covered. You could hire them at a lot less. But under the law, you are not allowed to do that in most States, because of double dipping.

That may be a way we should go with police officers as opposed to focusing more police officers on—without going back and getting further education—on being the person who is the one handling probation and parole.

But at any rate, I——

Mr. SAPP. Senator, if I could just make one point.

With respect to drugs in the juvenile arena, it is a little bit different situation than the adult.

We do not see as many youth coming into the system as in the adult system, that are addicted to drugs. They come in, they are experimenting, they are at that age when they do a lot of that. Some come in as sellers, and might dabble some in drugs.

So I think we have a better chance through our counseling and treatment programs to affect it. But I think we would have a higher recidivism rate in aftercare because they are still in that experimentation stage in their life. When they go back out into the community they are going to continue to dabble.

So we are probably going to have a higher failure rate than the adult system, even.

Senator BIDEN. I suspect that is true.

One of the things, though, that is important to look at, and again we could, just with this panel, constructively spend the whole day discussing these issues, but I am keeping you too long and I am backing up the other panels as well.

One of the things that there has been some real success shown in the area—and I must tell you, though, I do not know and I would have to look to Cripsen Tool and experts on my staff to give me some greater input.

But the kids who are involved in this kind of violent crime may or may not be susceptible to what I am about to say. I do not know the answer to what I am about to say.

But there is evidence that education, drug education works for those who are in the experimentation stage, who are not addicted.

And so it seems to me that there are better ways for us to use our resources, and whether or not it works as well within a juvenile detention setting, I do not know.

I do not have enough information to make that judgment. But I do know it does work much better in the situation where there is juvenile detention or adult detention, where there is a history of real drug abuse, and there is addiction.

It does work; not every time, but it does work. One of the things we know from experience—you talked about public housing projects. Over a 6-year study of Boy's Clubs and Girl's Clubs of America—they are a tremendous organization, by the way—they took this study, and they showed where they took public housing projects that had the same demographic makeup across the Nation, and they put a Boy's Club right in the public housing project, not offsite, on the public housing project, and in the same demographic breakup.

So they did not compare a 20-story public housing project with 2,000 kids to a, you know, a garden type dwelling with 200 kids.

So they compared the same kinds of projects, and in every circumstance—do you have the exact numbers?—the difference between—among juveniles—there was a 22-percent reduction in crime just as a consequence of the existence, onsite, of a Boy's Club. This is nationwide. An 18-percent reduction in drug arrests between the project with a Boy's Club and one without a Boy's Club.

Going to Colonel Gordon's point, that if you have something else to occupy these kids, you are not going to cure the problem.

But I would ask rhetorically, Colonel Gordon, how many additional police officers in the county would it take to reduce crime among juveniles by close to a quarter? It would take a hell of a lot, wouldn't it?

Mr. GORDON. We are trying to concentrate on just keeping it from increasing. It would be unbelievable, I think, the numbers you have there, and the increases, if we do not begin to——

Senator BIDEN. Well, Mr. Sapp pointed out, Chief Sapp pointed out, we have what they call the baby boomerang coming. The baby boomerang—we are going to have somewhere—that cadre of most violent offenders, between the ages of 13 and 18 years of age, over the next 5 years is going to increase by almost 25 to 30 percent.

I mean, it is a gigantic wave coming, yes, and we will end with this. Any comment any of you would like to make?

Mr. SULLIVAN. Senator, I know that you have been helping us with this, but the Division of Youth Rehab and the Family Court have applied for a CSAT grant of $5 million over 5 years, to provide a continuum of treatment, to provide what you have just mentioned.

It is particularly important, and that is, aftercare and followup. I view this grant application as one of the most important applications that we have ever applied for in the State of Delaware.

It will do what you are suggesting. It will help the Division of Youth Rehab, Children's Department, and the Family Court—there is a drug court provision in it, too—and I, for one, appreciate your help with that, and urge you to continue because it is so important to us.

Senator BIDEN. Well, we are trying very hard to do that. I hope this does not come out the wrong way, because I have at least two of the leading Republicans in the State here.

One of the problems is the national Republic Party, the Congress is trying to eliminate the program, totally, zero that out, the moneys from which that comes, and take—and I am not making this up—and take all the other programs and put them in block grants, and cut the amount of money.

And I might add, both Senators Roth and Kassebaum have been supporting me on this. So it is not like—this is not all Republicans or all Democrats. The House, though, in their appropriation process, chopped these, eliminated it, and block granted the rest.

But at any rate, that is where we are. We are going to keep at it. I want to thank all of you very, very much. I would like to be able to submit a couple additional questions, in writing.

I would particularly like to follow up with you on what General Brady referred to, as a good way to refer to it, as these "mini orphanages," that notion which you were talking about. I know the judge wanted to comment on that.

I would like to ask you some questions about, mechanically, how would that work, and a few other questions. But I want to thank you very much for being here.

Now our next panel, there are two people who have—I am going to split the panel, and call, first, Dr. Lonnie George, president of Delaware Technical Community College, who assumed this new position 2 weeks ago, was a State representative for 21 years, a former Speaker of the House, an old and valued friend, and I am glad he is here.

State Representative Rich Davis, who my kind comments about have probably damaged his reputation, but who has been a State representative since 1980—please take your conversations out of the room—who has been a State representative since 1983. He cochairs the budget writing and Joint Finance Committee since 1992, and he and Nancy Cook have been on matters related to this issue, the two most nonpartisan legislators I have run across in how they deal with it.

I think Members of Congress, quite frankly, could learn a lot from the tradition of bipartisanship in the Delaware General Assembly. We would all be a little better off. But I welcome you both.

Ten we will hear from Vince Garlick, and Ms. Sewell of Wilmington High School, an 11th grader.

Mr. Garlick is representing Norman Oliver. Councilman Oliver is not able to be here today.

I apologize, gentlemen, for having you late. I know you are very busy men. Mr. President—that has a nice ring to it—Mr. President, why do not we begin with your—and if you need to get these weapons, you can go right ahead and do that. Please begin your testimony.

## STATEMENT OF ORLANDO J. GEORGE, JR., PRESIDENT, DELAWARE TECHNICAL AND COMMUNITY COLLEGE

Mr. GEORGE. Thank you, Senator Biden, and it is a pleasure to be here, especially with my good friend, Rich Davis.

Senator Biden, I first want to thank you for everything that you have done over the years with regard to the issue of helping with the growth and development of our children, not only in this State, but in the Nation.

Your voice has been loud, and has been clear over many a year, and I know as a former public official, sometimes people forget to say thank you. But here is one person that does not want to forget to say thank you, Senator Biden.

I am not an expert in this area. I think the people before us clearly qualify as experts. There are others in this State who deal with the prevention piece day to day. To me, they are heroes, in every sense of the word. They are in there pitching, trying to help our young people, day in and day out, and Delaware is blessed to have them.

Delaware Tech is a statewide training and education institution. The average age of our student is 28. Basically, we deal with adults.

But Delaware Tech has a role to play when you talk about prevention. If it is true that it takes a village to raise a child—and I believe that is a true statement—Delaware Tech is a part of this village, and we have a role to play, just as every individual and every organization who has the capacity to help. There are too many folks walking away from this problem today as if it was your problem, or their problem. It is our problem. These are our children.

There are programs that Delaware Tech offers, because their juvenile offenders is committed to doing our part. These programs are for precollege students. They are for teenagers. They are for preteens.

They are programs that provide an educationally fun, safe, and challenging environment, where kindness and sharing and cooperation, and politeness and courtesy are stressed.

These programs are on all four of our campuses. And they are not just programs to deal with the bright people who are as bright as hell, you know, who can achieve great things.

We are involved in some programs where students who have been expelled from school are on our campus, because we are trying to get our arms around the problem just like everyone else is, to try to help with these students, togrow and develop, and improve their self-esteem and self-confidence. So these programs I have put together in my written statement, Senator, and I can give those to your staff.

Senator BIDEN. We will enter the entire statement into the record as if read.

[The statement of Mr. George follows:]

### PREPARED STATEMENT OF ORLANDO J. GEORGE, JR.

It is a pleasure to be here, and an honor to be a part of the Judiciary Committee's discussion on youth violence and its prevention.

In considering my role on this panel, it seems to me that one might easily wonder what role the community college plays in the prevention of violence among our youth. Aren't community colleges, in fact, attended by individuals in the post-adolescent stage who presumably have passed the high-risk period for juvenile violence? While the answer to that question is yes, I can tell you unequivocally that Delaware Tech has a role to play in the prevention of youth violence in our State. If it is true that it takes a village to raise a child then clearly Delaware Tech, as a part of the village, has a responsibility to do its share in helping to address this problem. I recognize there are a great many other organizations and experts in the field who deal primarily or exclusively with the issue of preventing youth violence and I defer to their expertise. Delaware is truly blessed to have these individuals and organizations lending their shoulder to the wheel in this effort.

Looking back, when you and I were growing up we had the good fortune to have many mentors. Maybe we didn't recognize them as such at the time, but that is exactly what our coaches, scout leaders, and advisors were. They helped us grow and develop. They taught us things about life—getting along with people, being a part of a team, and understanding what that means. We also had the benefit of a loving family, and even an extended family, to support us during our childhood and adolescence. These individuals not only served as our mentors but our role models as well. Many of our youth at risk today do not have the benefit of these kinds of community and family support systems. It is important for youth from all ethnic and racial backgrounds and from both genders to see role models in people like themselves. Unless they are able to see this, they won't really know that they too can "do it". We have a number of programs at Delaware Tech, both federally and locally funded, to address the needs of developing youth and provide them with positive role models. These programs provide young people of the community supplemental academic, special interest, and athletic programs during non-school hours. These quality programs are offered in a college environment which is educational, fun, safe, and challenging. In all of these programs, kindness, sharing, cooperation/team work, group interaction, politeness and courtesy are stressed. The old adage "children learn what they live" is so true. If children are engaged in stimulating activities directed by encouraging, caring adults and older youth, perhaps they will follow the example in dealing with others. I'd like to share several of Delaware Tech's outreach programs with you.

*Sports Camp.*—Designed for youth ages 7–14, this summer day camp at the Stanton campus features fun and learning with an introduction to volleyball, soccer, swimming, golf, horseback riding, tennis, baseball, and football. The program is sponsored by the New Castle County Department of Parks and Recreation and the College. Participants are provided with all equipment, refreshments each day, camp T-shirt, medical insurance, and a cookout on Fridays.

*Kids Kamp.*—Designed to provide eight weeks of fun and a variety of informational and recreational activities during the summer months, 7–18 year olds receive instruction in areas ranging from crafts, computers, baseball and baking, to aviation, art, woodworking, and wrestling. Special Saturday mini-camps with a special theme of the day are also held to give parents a "day out". This program, offered at the Owens campus, is funded through the Continuing Education Division.

*Academic Challenge.*—Designed to offer educational opportunities in mathematics and English for academically talented youth in grades 8 through 12, this program is operated by the Owens Campus in cooperation with the Sussex County school districts. The objective of the program is to provide quality accelerated instruction for the area's top students.

*Science Fair.*—Designed to provide the opportunity to conduct a comprehensive science experiment, the annual Science Fair is open to youth grades 6 through 12. Students compete in 14 categories, including behavioral sciences, biochemistry, botany, chemistry, computer science, engineering, earth/space science, environmental science, physics, and zoology. Hosted by the Owens Campus, this annual event is funded through contributions from all higher education institutions in Delaware, as well as private citizen donations. A similar event funded by the Department of Public Instruction is hosted by the Terry Campus each year.

*Project PEAK (Program for Educational Alternatives in Kent County).*—Offered on the Terry campus, this governmentally-funded program is designed for students in grades 9–12 (including those in special education) who have been or are in danger of being expelled from school due to behavioral problems such as truancy, bringing weapons to school, hitting teachers or students, or other violent behavior.

Students planning to return to school are enrolled in courses that mirror those they were taking at their home school and are receiving credits toward graduation. Those not planning to return to school receive basic skills and GED classes. The effectiveness of the program is based on achieving behavioral change by direct personal involvement during the education process. Students and parents are required to attend counseling while in the program. The increased personal attention is directed toward the improvement of self-esteem and self-confidence. This outstanding program won the 1995 Super Stars in Education award from the Delaware State Chamber of Commerce.

*Job Training Partnership Act (JTPA).*—Designed to provide job development and training opportunities for at-risk youth ages 18–21 (including high school dropouts, welfare recipients, ex-offenders, certifiable physical or mentally disabled, and youth who are deficient in basic skills), this program is funded by the Delaware Private Industry Council/Department of Labor. These training opportunities are designed to improve the long-term employability of youth, and enhance the educational, occupational, and citizenship skills of youth. Included in this program are initiatives to assist youth in addressing problems that impair their ability to make a successful transition from training into the world of work.

## TRIO PROGRAMS

These federally-funded programs, designed to provide educational opportunity for all Americans regardless of race, ethnic background, or economic circumstance, are eligible to students from low-income families where neither parent has graduated from college.

*Talent Search.*—Designed to serve young people in grades 6 through 12, this early intervention program helps junior and senior high school students to explore and understand educational opportunities and options available to them when they finish high school. These students meet weekly with college coordinators for counseling, workshops, and career planning. This one-on-one contact and encouragement from a mentor/role model can make the difference between attaining success and falling through the cracks of the system.

*Upward Bound.*—Designed to help youth prepare for higher education, program participants ages 14–18 receive instruction and tutoring in literature, composition, mathematics, foreign language, and science on college campuses after school, on weekends, and during the summer. Statistics show that Upward Bound students are four times more likely to earn an undergraduate degree than students from similar backgrounds who did not participate.

*Student Support Services.*—Designed to help students stay in college once they get there, and earn their degree, the third prong of this trio of programs serves matriculated students of all ages. Tutoring, counseling, and instructional services help keep these students on track. Issues that arise are resolved individually and early before a student can become overwhelmed and inclined to drop out.

In conclusion, Delaware Tech will do its level best to continue to provide the programs necessary to assist the development and growth of the next generation of young people.

Mr. GEORGE. Thank you, Senator.

The issue that I wanted to raise I think is a little broader issue. And that is, that it seems to me—and you referred to this earlier on the part of some of what you have to deal with—and it seems sometimes that there is a selective amnesia on the part of that generation that made it through their teenage years and now are in a position to make decisions, set policy, vote on budgets.

And that selective amnesia refers to their generation and growing up. They talk about the importance of families and even extended families. And they are right. You and I were blessed to have those kinds of loving, caring families.

But it was not enough. Even back when we were growing up, the importance of the athletic teams, the Boy Scouts and the Girl Scouts, the band, the arts, all those clubs—at every one of those activities, there was an adult there, helping you and I. And I guess, you know, in some minds they were keeping us off the streets and out of trouble. And that was certainly true.

And I think some feel they were, you know, teaching us how to shoot a ball or how to earn a merit badge. That was true, too. But there was something else that they were doing that we never realized at the time, and that is, those coaches, advisers, and Scout leaders—they were mentors to us. They helped us grow. They helped us learn how to be comfortable with the world around us, how to be comfortable with ourselves. They developed our self-esteem: how to be part of a team, how to be part of, you know, something bigger than yourself. That is the thing that I think people are missing nowadays

It is not midnight basketball and we are going to send some kids out to play basketball. It is a question of, are you going to help develop our young people or not? It was true back then, for us, that those programs were important in our growth and development. Why is it any less true today?

We have to figure ways to be tough-minded without being cold-hearted, Senator Biden, and these programs are clearly opportunities for young people to grow, to develop their self-esteem.

I have been at the college 26 years, and I started out teaching math. One of the things—even when I chaired the department, I always assigned myself one of the remedial classes to teach. And one of the things that I found out is that I taught young people in that math class as much about the development of their own self-esteem and self-respect as I did teach them math.

These are people that have come through their childhood to 18, 19 years old, and nobody in their life has ever told them that they are good at anything. No one has ever put their arm around them and said, hey, way to go; you did a really nice job with that. And they come to the college and, you know, you have to start with the self-esteem and the self-respect, and give them some successes to start building up how they feel about themselves.

I want to mention one other program that my good friend here, Rich Davis, was very instrumental in pushing it along, and helping, because it is just one more part of the puzzle. There is no one solution to this. There are a lot of components.

But there is a program called Parents As Teachers; it is a program we started a number of years ago in the State, and it is a program that helps recognize that parents are the best teachers of their children before age 3, 0 to 3.

That when you take a child into the supermarket, there are opportunities for learning in that environment relating to color, sizes, shapes, and all kinds of things. And you do not have to have a college degree in order to be an effective teacher of your own child.

It has just got to start somewhere. This is a program that I think we have gotten off the ground and, with Representative Davis's help, it has pushed now to be a statewide program.

But Senator, I will give the rest of my statement to your staff for the record, and would be happy to answer any questions.

Senator BIDEN. Thank you very much, Lonnie.

Representative Davis, welcome.

## STATEMENT OF HON. RICH DAVIS, A REPRESENTATIVE IN THE STATE HOUSE, DELAWARE

Mr. DAVIS. Thank you. Senator, it is a real pleasure to be here with you this morning and it is a privilege to be a part of this panel, especially with Dr. George.

Like he, I do not come before you as any kind of an expert on youth violence. Unlike the people on the previous panel, I do not have to deal with the problem every day, and I am not going to claim to have all the answers or the cures.

As you mentioned, I do come as a State representative. I have been involved in criminal justice issues in Delaware for a number of years, and currently cochair the joint finance committee. And in that capacity, I constantly see the impact of too much violence in our society, not only in our youth, but also in our adults.

On the previous panel, Guy Sapp went through the growth in the numbers, in terms of the people—the young people—who we are incarcerating in our facilities. You could track similar numbers in our adult facilities, which have grown dramatically.

And yet, I think if you pointedly asked the police who are on the street, they would tell you that the increased number of incarcerations has hardly made a dent in what they are dealing with in terms of crime on the street, and especially the violent crime rates.

Can we make a difference by throwing more money or more programs at the problem? Probably not. I have become totally convinced that to make an impact we have to have involvement in dealing with this problem from all aspects of our community and of our society. We have to begin to change some of the attitudes and the problems that are tearing our society apart and, most of all, it is not something that we are going to change overnight.

I firmly believe that it has taken us about 30 or 40 years to get into this problem that we are dealing with and talking about today. And it has basically taken that long for the deterioration of our society, of our families, and of that structure that Dr. George was just talking about that helped each one of us as we were coming up as youth.

And it is not a problem that we are going to repair overnight. Can Government make a difference? If I said no, I would have to wonder why any of us ever got into this business. So I have to believe that we can. However, I do not think that we are going to do it by mandating programs or mandating how things should be done.

My job at the State level, and yours at the Federal level, should be to allow our communities and community groups to try things that they think will work in their community, whether it be the PAL organization, setting up their facility, the Boys and Girls Clubs that are working in communities, or something specifically within the housing projects.

We have to provide the resources for them to find the answer that will work in their community, and then help them have the expertise to be able to carry it out. What works in New York will not necessarily work in Delaware, and vice versa.

What we do need are some of the things that I think you have been a champion for through the crime bill in terms of setting up partnerships between the Federal Government, the State Government, and our local communities without a lot of strings and without a lot of red tape, to allow them to run a program.

When we look at some of these criminal justice issues in regards to juveniles, we need to have programs that will provide certain punishment in a manner that is appropriate to the offense and appropriate to the person who is involved. For some, it may be that incarceration is the only thing that is appropriate. But I think that our focus has to be more on using alternatives that are appropriate to the offense and the offender.

And we have done a lot over the last few years through structured sentencing, of making use of alternatives, in the adult systems. I do not think we have done as much of that in the juvenile system as we should.

Some of the things I have in mind, in terms of things that can be used for alternatives, are restorative justice-based programs such as the Victim/Offender Reconciliation Programs. One program of this type is currently being operated here in Wilmington by the Delaware Center for Justice.

I currently have legislation in the General Assembly that will hopefully make these programs available statewide and, hopefully, eventually provide funding for them.

Senator BIDEN. How does the program work?

Mr. DAVIS. Well, these programs are something. They have to be purely voluntary; both the victim and the offender have to voluntarily agree to participate in it.

The idea is to essentially bring them together in a face-to-face confrontation with a mediator so that the victim can maybe learn a little bit about why they were chosen, why the particular crime happened to have been committed against them.

The offender can come to appreciate face to face, firsthand, what hurt they have caused to the victim, maybe what the long-lasting effects were of something that they only saw as a momentary encounter.

But it also involves a decision between them as to what is appropriate restitution: what kind of community service would be appropriate for that offender to participate in or what kind of direct services to the victim, in terms of restitution, they can provide.

The experience so far has been that both the victim and the offender come away with a better feeling about the whole process. And for the appropriate people and the appropriate circumstances, it really has a good impact. I think we need to make more use of this kind of program where it is appropriate. And, obviously, it will not be appropriate in all cases.

Second, I think we need to make more use of the drug courts that you mentioned earlier. Judge Gebline has been operating an extremely successful program with adults through the superior court. I think that we can also operate a very appropriate program through the family courts, or through the superior court, if necessary, with juveniles.

They may not—as was mentioned earlier, they may not be as fully involved in a full-blown habit as the adults are. But I think that the experience with most drug treatment programs has been that the earlier you can catch them, and can turn around the attitudes and the behaviors, the more successful you can be and the less it is going to cost you to get there. So I firmly believe that we have to have early intervention.

And these programs have to involve direct involvement by not just probation or parole officers who are looking at criminal justice activity, but case managers who are looking totally at the drug treatment activity.

Senator BIDEN. Yes.

Mr. DAVIS. And any time that the individual is basically not meeting their commitments, or they have a problem of relapse, they then take the person right back before the judge who originally put them in the program, either for a kind of wake-up call—that you better turn yourself around because somebody is watching directly what is happening to you—or for a short period of incarceration before they send them back to the drug treatment program to get their attention.

But I think the other thing that is important is that that has to also be tied into essentially a contractual agreement to complete educational programs or job training programs, because just the drug treatment will not be enough.

We have got to provide them with positive healthy alternatives, if we are going to turn lives around.

Senator BIDEN. That is exactly what it calls for.

Mr. DAVIS. I also think we need to make more use of electronic house-arrest programs for the people who—obviously you cannot confine them to a home situation that is the cause of the problem. But if you can confine them to home, and keep them away from the other influences in the community while you work with them in a counseling program, that may be as good as sending them to an outside program.

None of these things are totally new. They do need additional resources, probably both from a Federal and State level, if we are going to reach all the children that we need to reach.

But I think one of the things that we have often overlooked in many of these programs is the evaluation component. And I think that, as we look at doing any funding of new programs or additional funding of old programs, we have to look very strongly at making sure that there are strong evaluation components there so that we can quit paying for the things that are not working and focus our attention and our resources on the things that are.

I think we also have to stop looking at things in a very segmented way, and look more broadly across jurisdictional lines and across professional lines. We are not going to solve this problem just by looking at the criminal justice side.

I firmly believe that we are only going to solve it as we integrate it with things like the Boys and Girls Clubs, the PAL programs or the recreation leagues, and with the educational system.

And only if we can purely turn some of these people on to education can we turn their lives around. Similarly, our schools are not going to be able to be successful unless we get a handle on the problems that they are dealing with. At the early stages, the discipline problems in the schools are what eventually we see out on the street as the violent crimes that are taking place that we are talking about today.

And that is one of the reasons why I fought very hard to get expansion in our State budget this year of prevention programs in our schools, and to get those expanded into every elementary school that we have, so that we can provide resources to help with counseling services or whatever might be needed in order to turn a kid around and let them then focus their attention on getting an education.

And we have set up an experimental program in conjunction with the services for children, youth, and their families that will bring some of their counseling and social work capabilities to work with the children in the schools. But they'll also then go home with them, to their parents and their communities, to work with those dysfunctional family situations to maybe turn those around, so that we can make the best use of our resources. Get the children focused on education while they are in school, and try to modify some of their behaviors that are disrupting the classroom.

And I think that if we can be successful with those first and second graders—to get them turned on to education, get some appropriate role models into their lives—we can then eliminate the juveniles that are causing crime when they become older.

It is going to take time. It is going to be frustrating for everybody, and I know that I personally find it very scary to think about this increase in the demographic numbers that we are talking about coming through our system right now. But it is something we are going to have to deal with. And at the same time, we have to make sure that we do not get all of our resources totally diverted onto the problems we are dealing with today, and thereby prevent us from being able to do the prevention programs and the training programs we need for the younger people that will be our juveniles of tomorrow.

I want to also make a comment on a question that you asked the previous panel regarding mandatory drug treatment. I am absolutely convinced that mandatory drug treatment should be a component of both adult and juvenile correctional systems.

When I look at Delaware and what that would take in the way of resources to provide that, though, I find that kind of a scary prospect, both in terms of what it does to the State budget to provide those resources and what it does to the drug treatment resources we have available in the State. Because if, for example, we were to mandate that everyone in the criminal justice system who needed treatment had to receive it, then the situation that exists today—in terms of the difficulty of someone getting treatment who has not yet been involved in the criminal justice system—would just be made that much worse.

And I think that if we can provide adequate treatment resources for those who have not yet been involved in the criminal justice system, that should be our first priority. But we also have to do everything we can in terms of getting more treatment to the people who are in the criminal justice system.

I want to thank you for the opportunity to be here and I will be happy to answer any questions.

Senator BIDEN. I want to thank you both. I want to begin where you ended. That has been one of the great dilemmas that we have had. Almost everyone who has been as involved as you two have as legislators—especially in budget-writing committees, or revenue committees, or committees with authorization authority—reaches the same conclusion about drug treatment.

We had set as a goal in the national drug strategy, which is one of the next fights—which reminds me, we spend nationally, the Federal Government puts up $13.2 billion per year for drug policy. Now, to put this in perspective, the entire Biden crime bill for 6 years is $30.1 billion. We already are spending over $13 billion per year federally on drug-related matters.

And one of the things that we have had an ongoing debate about with the last two administrations is whether or not we should focus on hard-core users or focus on casual users. The last two administrations chose casual because it is easier; you can measure it easier. And this administration, quite frankly, has chosen nothing; they have been absent.

I have, I must tell you—and I know I get criticized for being, in this case, so critical of a Democratic President, but I was critical of Republican Presidents. I am going to be critical of a Democratic President.

The last three Presidents have done virtually—well, they have not done—I think the strategy has not been adequate. [Laughter.]

And so one of the things I am about to do is, I have redrafted—and if I have not already—do you have a copy of it there?—send you a copy of—and again this is sort of bedtime reading. But it does have a very, very short summary, a 15-page summary at the outset, of what I think the drug strategy should be.

And it is not what I think. I mean, I have been writing one of these strategies every year for the Nation, and this administration. The good news is this administration signed on, but the bad news is they are not doing anything about it.

The bad news was the last administration did not sign on to it, but they spent monies in ways that I thought did not make as much sense.

But the point of all of this, saying all that, is to reinforce your point. It is an extremely expensive proposition.

I think we should shift our attention from drug interdiction to drug treatment. And the reason I say that is, all it takes is a 5-square-mile area to provide all of the heroin that this Nation would consume in a year, from every source.

All it takes worldwide is an area that is not much bigger than an average-sized Iowa farm to provide all of the coca that is needed to provide all of the cocaine consumption in the United States of America.

We are seizing somewhere around 40, 50 times as many drugs as we seized in the past coming in, and yet the volume of drugs coming in is so intense that they are now shifting the way in which we consume drugs.

For example, heroin, and heroin with a real purity that was enough to give people—the abuser—what they wanted, used to be awfully hard to come by. Now it is so prevalent that a method of using heroin is becoming prominent, and it is referred to out on the west coast as "chasing the dragon."

And what that means is, just smoke it, it is high purity. And they literally will stand up and inhale the smoke as it comes out of a pipe, with purity that is as intense as what you inject directly into your arm.

It used to be, prior to the crack epidemic, that we had four times as many—for every one woman who was a drug abuser, there were four men. Crack was a great equalizer; women have "come a long way, baby" with crack.

Now we have almost a one-to-one ratio. And that is why we are seeing a phenomenal increase in child abuse and child neglect, a phenomenal increase in women involved in violent crime; a phenomenal increase in AIDS, HIV-transmitted diseases. Because that is how they get the money for the hit, et cetera.

And so there is a lot that we can do, but it is a very expensive proposition to deal with it. And it seems to me we have to shift our resources. Which leads me to a question, believe it or not.

In the State legislature, one of the things that I have really—and I mean this sincerely, I have been truly impressed with—speaking to you, particularly—is your personal ability to lead your colleagues to do things which most people think make great sense, but which are counter-intuitive in today's world.

In today's world—and I don't think anyone has ever accused you of being a liberal Democrat—you are viewed as a strong conservative, in today's national parlance, a Christian Right background, very strong on family value issues. And yet you are supporting some—you are not only supporting, but you are convincing your colleagues in the legislature to deal with the nonmandatory prevention programs, prevention initiatives, giving people alternatives to try new ways of dealing with the problems.

And one of the things you mentioned was this crossing jurisdictional lines. Now, I am going to ask you to do me a favor—not today. I should not say it is a favor. Do all of us a service. In the Biden crime law, the State of Delaware this year—unless things are drastically changed in the law—will get $3,810,000 for the ability to use prevention programs that target youth violence in America. I mean in the State; this is just for the State of Delaware.

And some of these general programs are—for example, there is a quarter of a million dollars that is going to be coming for community schools and youth services. That is for after-school programs; not conducted by, not run—this is the cross-jurisdictional part.

There was a great deal of angst when we wrote this. And to be honest with you, I did not write it; most of what is in the crime bill were good ideas other people came with and I incorporated them.

But this was written by Senator Danforth of Missouri, who has since retired; Senator Domenici, who heads our Budget Committee, a Republican; and Senators Dodd and Bradley, of New Jersey.

And it created some real consternation among school officials when the idea was posited that there would be—what is the total amount for the national program?—$670 million made available to schools, to nonprofit private organizations to use school facilities after school, to engage these kids in a whole panoply of potential programs, left up to the local, totally up to the local private organization that qualified for these.

And the list goes on. There is a program called the Assistance to Delinquent Youth, the Great Program, which is $350 million, certain punishment for youthful offenders, community-based prosecutors' grants, court-appointed special advocates, judicial training, and child abuse, police and prosecutors for victims' grants, programs like the one you mentioned in Wilmington you would like to make statewide.

I think you are going to find you have the potential to call on as much as $775,000 in Federal dollars to do that. It is your discretion; we do not care how you use it. I mean, we care that you use it wisely, but we do not dictate how you use it; no strings attached to it.

To community-based programs to support community policing, to community policing, totally, which if you added those, that would add another $4 million. So over seven and a half—almost $8 million will be coming in.

Now, what I want to do—this is the large question. I would like you and your colleagues to tell us whether or not the ability to cross jurisdictional lines, which this is designed to enable you to do, is actually getting done locally.

Because Lonnie and I worked for years, when I would bring in money for the community—and you, subsequently—money for the policing operations. And I would find out that the money was supposed to be going for cops.

You all made a decision—in your judgment you, the State—that it should go to hire judges or public defenders or prosecutors. That was not the intention of it when we brought it in. What was it called? The Criminal Justice Planning Council.

So what we need—because Delaware is a little bit of a microcosm, you can actually find things out in this State—is to know whether or not any of this is really working, if it really makes any sense. Because if it is not working, I do not want to keep it. Because we are just going to diminish support from the public if we cannot show results in any of these undertakings, and that relates to the evaluation component.

We wrote into the law a requirement that we have outside, kind of like a peer review group, for regulatory reform. We kind of wrote that principle into this legislation, where we have outside peer review groups that are not hired by the agencies, that are academics, and others who are required to do an evaluation 2 years down the line in this.

So I would like to ask you two things. First, is there a mechanism by which the State legislature—your committee, or whatever the appropriate committee is—can actually do an assessment of—not an academic assessment, but an assessment—whether or not the cross-jurisdictional programs here that we have written are actually working cross-jurisdictionally.

Whether there are these internecine fights that are going on that will not affect you all. I mean, you will not be the ones that are causing the fight. But is there a mechanism by which you can observe for us whether or not it is actually working, and communicate it?

And second, is there an in-State evaluation component that makes sense for—not me, but for you—you, the State legislators, to implement to determine whether or not any of this is working?

And I will note parenthetically that in the violence against women legislation, which is a separate piece, I asked all the providers and prevention people to gather in one room. And there were a couple hundred people. And I said one thing that caused a great stir, and a lot of people got very angry: I said, the first group that I find out is competing for these dollars at the expense of another group, I promise them personally I will intervene to see they do not get any money. I personally will intervene.

I have got too much invested in this. And so that is the kind of thing I am trying to figure out in this youth prevention stuff.

So, (a), would you take a crack at trying to come up with a mechanism, not to do it nationally, but the moneys that come into Delaware, to get some measure of whether they make any sense?

Mr. DAVIS. Well, we certainly will be trying to look at that, both through the Joint Finance Committee, and using our staff resources in the legislature, because we want to know what works and what does not work, too, so that we can put, you know, not only the Federal dollars to use but also the State dollars.

We are looking much more than we used to at trying to do evaluation of programs, and their successes. So, yes, we will look at that, and also, we are implementing more and more evaluation components, and the Finance Committee is looking at those very strongly, in terms of the success and failures of the various programs that we fund.

Mr. GEORGE. Senator, I think that is a good message to give to people, whether they want to hear it or not. They need to know that the organizations they run, the expectation on the part of the policmmakers is that people will cooperate and work together to move the ball forward.

This program, just as an aside, the Parents as Teachers Program, which most people would say, of course you start when the child's born, or even a little before, to show, you know, even a single mother, how to teach.

The biggest problem we had with starting that program, the biggest group that fought us in terms of getting the money in the budget was the public education system.

Senator BIDEN. Yes.

Mr. GEORGE. I want to say one other thing, too.

Senator BIDEN. If you would hold the thought.

Mr. GEORGE. Yes.

Senator BIDEN. That is why I mentioned the community use school services, which is a big chunk of the money you are going to get, initially, nationally. I mean, in fairness to Delaware, not locally; but nationally, the national educators, the administrators said, wait a minute, I do not want someone in my school—the way this all started, as I told you, this was a cop riding home in Newark, NJ, and he said, Why in the hell are these schools closed? I mean, why am I out there building new PAL centers? I have got a gymnasium here. Now it is not right for every city.

Every community can have a different use and component of it. The other thing that is useful here, I think, is I think we have made it clear in the recent Supreme Court decision that religious-based activities that are not sponsored by—not sponsored by a particular religion, but student-based activities that flow from this—

we specifically wrote into this that you would be able to have church organizations involved in some of these prevention programs.

So they were not excluded as a matter of law, because it seemed to me to make no sense to have all these facilities out there, and in some communities—you know, I can take you through—I do not have to take you, you could take me through parts of Wilmington tonight, and you are not going to have kids off the street at 11 o'clock at night, or 10 o'clock at night.

And for all the maligning that has happened to midnight basketball, midnight basketball did not have anything to do with basketball. It had nothing to do with basketball. It was to keep the facility open, so that there is a place where you know, when you have these kids who have no place to go, or no one supervising them, that there is a place to go where when they get there they are supervised.

You know, Lonnie, you indicated that when we were kids—and I am older than you, but we are about the same age—that even when things were "better" and there was something, that people still talked about a nuclear family, the truth is the nuclear family did not handle it all.

Mr. GEORGE. That is right.

Senator BIDEN. Did not even come close to handling it all. How do we get more people involved in the—a phrase that is used by those of us who work in this area is called mentoring.

But just plain old talk. How do you get more adults involved in things—not programs per se—things that affect kids?

I mean, have you and the State had any experience with attracting adults into the equivalent of Boy Scouts, Girl Scouts? Not legislating it. But I mean, I am kind of at a loss, as a legislator, because I do not think you can legislate morality.

But what has been the experience in the State of the success of getting more volunteers, not in programs where we are—which is very important—where we are raising money for these activities, where we are doing good things, and hiring professional people, but where you actually have somebody, like a Big Brother, Big Sister kind of thing, where actually a kid at the other end, interacting with an adult?

Mr. DAVIS. You know, I think some of the things that we have had success with, have gone back to working through some of our volunteer organizations and our volunteer coordinators within State government.

Getting individuals who have taken early retirement, or even people that, you know, retired at the normal retirement age, and getting them involved in programs with children, particularly young children, teaching them to read, helping them with the tutoring of their school work, getting those cross-generational interactions that are missing from so many of the children's lives because of the breakdowns of the families, or the families being so totally scattered.

There has been success at doing that. The other place where I have seen success happening in many of our school tutorial and mentoring programs has been when the local schools have gotten companies to get involved, and to let it be known among their employees that they feel it is good policy for the employees to be spending time as volunteers in the schools, and even making time available to them during the workday, to go in and do that on a periodic basis.

And I think that until we get some of the adults convinced that that is an appropriate use of their time, instead of spending all their time either involved in working, or their own recreational activities, that we are not going to turn it around.

Mr. GEORGE. Senator, if I can just add. There is another dimension to the idea of mentors, and that is role models. We all had role models when we were growing up. They were all white men. Nothing wrong with that, but there they were.

We watched them. They were successful. They showed us that we could be successful. What is wrong with women having role models, and minorities, blacks and Hispanics?

I mean, you get a double and triple whammy out of this thing, and not only do you have the adults and the supervision, you know, you have the concepts that are taught about life, and being comfortable with yourself.

But you also have that role model concept where people can see that they, too, can be successful.

I am going to tell you, I think that the concept of mentoring has to start at the top. Earlier on, when I talked about every organization, every individual has a capacity to help, has to step up to the plate, that is why I think the community college—we are not the solution, but we are part of it.

I think every organization has a role to play, and the tone has to be set at the top of the organization, like Rich said, by providing the emphasis and the support.

At Delaware Tech, the president of the college has indicated that everyone in that college will be a mentor. That is our goal, whether they are mentoring our college students who need it, or whether they are mentoring the students who are coming to us in all of these programs, from the high schools, and even preteen types of things.

But the goal here is to get everyone involved as a mentor. Organizations—that has to be set at the top.

Senator BIDEN. One last question I have, and I have taken a lot of your time, and I appreciate it.

I have been both enticed by, but frightened by, the following notion, and we discussed at the end of the last panel, that when you see a child who either gets exposed—usually the child gets exposed through the system, not as the criminal, but as the victim. Not usually, but probably 45, 50 percent of the time.

And you know that in the family court situation you are going to have to give that mother or that father jurisdiction and controlled control over that child. And you know damn well that the mother or father, the chances of them doing anything but harm are remote.

And we can talk about intervening to increase the parenting skills of those parents in that circumstance, whether they are abusive of their children or abusive of themselves, and as a consequence abusing their children.

But you have still got to send the kid back in that environment. And in the State of Delaware, and nationwide—I am not being critical of the State—the foster parenting, foster homes have gotten one hell of a rap, and this notion of an alternative to send a child to something that is not a big orphanage, something that is not a reform school, as we used to say, when we were—you know, I am 52—when we were young, which is what we are in now—and something different than sending them back into the environment where their chances are overwhelming, it is not going to get any better for them.

Has the State, in your capacity as leaders in the State government, have you discussed or have any experience you could share with us? I am not expecting you do or do not, but if you do, is there any experience you all have had with alternative forms of living for children, even if it is on a temporary basis?

We have foster homes, and then we have go back home, and we have juvenile detention. Have you had any experimentation with any other alternative? Orphanages?

Mr. DAVIS. I am not sure that I can say that we have done any specific experimenting with any other programs that are particularly aimed at that, other than the things that you have mentioned. And I certainly would be the last one to advocate that we should do more breaking up of the family, because I think what we need to be doing is focusing resources on putting that family back together.

And I was sitting here thinking, as you were asking the question, that maybe what we need to be looking at is a model similar to the model that has been used by the YMCA here in Wilmington in running their transitional housing program, where the goal there was to take individuals who basically were homeless or on the verge of being homeless, take the entire family, move them into a facility where they will be living together with other families, get them into a job, get them into some training on parenting skills, some training on skills of being a home owner, get them back on their feet financially, and then help them move on into an apartment or other situation.

Maybe we need to be setting up, not orphanages to take the children, but some of these smaller programs that could take four or five families, and bring them into a facility and basically work with them in putting their family back together and work with both the adult and the child.

Senator BIDEN. Again, I am out of my area of expertise, assuming I have any in what I am about to say. But we just were of mild assistance in getting a grant for Brother Ronald's operation, a significant grant, and the purpose of that—and I wanted full disclosure here, and I mean this sincerely—my sister is president of that board. But I have been involved with them before she was involved. I mean, that is just full disclosure, OK, and——

Mr. GEORGE. Senator, apologies are not necessary. This is what is needed in our State—more involvement, not less.

Mr. DAVIS. And they run a fantastic program.

Senator BIDEN. And what they have done, and what they plan on doing with this initial grant, is they are taking homeless—it is out of the Violence Against Women money—70 percent of the children are homeless, are there because they are with a mother who was victimized by a man, and they have no place to go.

And they now have a very temporary arrangement, that they can only keep these families for several weeks, while they go from the home in which they are battered into this environment to try to find something out.

Now they are going to allow them the prospect—I may be off, my sister will kill me if I get it wrong—but where I think you will be able to stay up to 2 years in essentially an apartment complex, that they then have to move out of. But they teach these skills in the meantime.

One of the problems I have—and I will end with this because I am keeping you too long—there are about, as all three of us know, about 6 percent of the kids who are violence offenders, who use this—6 percent of the kids out there commit about 50 to 60 percent of the violent acts. The same way with the adult population.

We also know that there is a relatively small percentage of the kids where but for the intervention of the Lord—and I do not say that facetiously—but for the intervention of the Lord, the likelihood of putting the family back together again is near term, zero.

And so we know that there are some children who are going to go in, there is no parent that you can get to come in, or grandparent, get to come in to participate with them.

And we know we essentially put them back in a home, but it is back in the street. And what I was thinking about—and I do not know the utility of it, so I am not going to pursue it beyond this. I just wondered if you all had any experience with it.

I think there is room for the possibility of essentially having what is equivalent to what wealthy people do when they send their kids to prep school. To have a child not in a school setting, but have it in a home setting, an orphanage setting, that is a temporary situation, for not children who are merely—I should not have say merely abandoned—but children who are in environments that are corrosive to them.

That where we would provide for genuine, serious, professional care for them, as if they were going off to St. Andrews Prep School. And while they attend the public school, while they attend—not setting up a whole school for them, but where they are out of that environment.

And many times we find you are going to have to work with a single parent, or that person, separately, and not in conjunction with the child in the environment at the same time.

And it is something I have been intrigued with for some time, and I am going to have to learn more about.

But that is why I asked the question. Because there are a small cadre of children, that there is no reasonable prospect of sending them back to anything—anything at all, that is worthwhile.

Mr. GEORGE. Senator, like you were saying earlier, no program has those 90 percent success rates. I mean, you start with parents before the child is born, and then you would work with counseling, that Rich was talking about. But there is going to be a population out there, that, you know, we will not want to send back into the home, and we have to have a strategy to help those young girls and boys.

Senator **BIDEN**. I thank you both very, very much, and I wish you well, not that you need any wish, you have so much experience in the system already, Dr. George. But I wish you well in your tenure as president, in what I think is one of the great contributions that the State has made, and what Governor Terry and his Republican and Democratic friends made back in the late 1960's. It is one of the real serious, positive things that Government has done with the largesse of the taxpayers.

Mr. **GEORGE**. Thank you, Senator.

Senator **BIDEN**. And Representative Davis, I want to thank you for always being available for the telephone calls, and for the input.

I would like to work more closely with you to follow, again, not my intervening, not my telling the State. If you have noticed, in fairness, I do not think I have ever once recommended to the State legislature what they should or should not do.

You all do not tell me what to do on Bosnia. I do not attempt to tell you to do on what is going on in the State legislature.

But it would be helpful to me, because I want this to work, to get an honest—which I know I would get from you—an unvarnished assessment of whether or not these—some will work, some will not work. I want to get rid of the ones that do not work. I want to get rid of the ones that do not, cannot show that they can cross this cross jurisdiction, this crosswalk, as we say, and I would like to work with you on that.

Mr. **DAVIS**. I will be glad to.

Mr. **GEORGE**. Senator, as a postscript, you asked Representative Davis about his success in getting his colleagues to follow him. He will never say this, but I can say it. I mentioned earlier about the need for being tough-minded, without being cold-hearted, and absolutely fair. That describes this good man sitting to my right.

So that is the answer to your—at least it is part of the answer.

Senator **BIDEN**. Now we have completely demolished his reputation. The former Democratic Speaker of the House and the incumbent Democratic U.S. Senator, saying nice things about a conservative Republican legislator. I promise we will try to overcome that. [Laughter.]

Senator **BIDEN**. Thank you very much.

Now what we are going to do now is we are going to—let me see, we have two more groups. How about asking Twsana Sewell to come forward. She is a 11th grader at Wilmington High School and a student representative on the Delaware Juvenile Justice Advisory Group, and more sophisticated than I was when I was a senior in law school.

And Vince Garlick, president of Stormin' Normin' Basketball League. And Alexis Nicholas is a coach there as well. I assume they are both there? Yes, both are with us today. I note that Councilman Oliver is unavoidably out of town or he would be here, too. I welcome you all, and why do not I begin with you, Mr. Garlick, and Mr. Nicholas, and then, Twsana, ask you to speak. And I want to thank you all for your patient.

## STATEMENT OF VINCE GARLICK, PRESIDENT, STORMIN' NORMAN BASKETBALL LEAGUE, ACCOMPANIED BY ALEXIS NICHOLAS, COACH

Mr. GARLICK. Senator, Norman Oliver and myself, and Alexis, we would like to thank you for over the years for your support of the Stormin's Classic Summer Basketball League.

As you are aware of, the Stormin's Classic Basketball League is a summer basketball league which was founded by Norman Oliver to address some of the negative influences of crime and drugs on our society.

Over the years—the league is in its 15th year—over the years we found that, and we cater to kids from the age of 9 to 18, females and males—is a basketball league which is—its office is structured and chairs, chaperons social and economical—excuse me—social and educational activities, including tutorial programs, communication skills, and other academic courses.

The league is currently, as of 1993, we are currently up to 700 participants.

Senator BIDEN. Seven hundred?

Mr. GARLICK. That is right.

During the time the league is running, we are the ideal that there is no, hardly any city kids are on the street. They are at our gyms playing, or in tutorial classes.

Senator BIDEN. By the way, is that gym still not air conditioned?

Mr. GARLICK. That is right.

Senator BIDEN. The last time I was down there with you—first of all, I was worried whether or not I was going to be able to make a free throw, and thank God I did. But My Lord, it was hot then. It must be hell today.

Mr. GARLICK. That is right.

Senator BIDEN. It was this past week. You must be happy to be here in the air conditioned room, Coach. [Laughter.]

Mr. GARLICK. That is right.

Alexis Nicholas is going to talk to you about the various components of the league, talking about success and what makes this league run.

We are a 501(c)(3) nonprofit organization. We depend heavily upon our volunteers in selecting the right volunteers to participate in the league.

We put up the carrot of basketball and we are dangling with a lot of other components of the league. We are very proud of our success with the league, and turning kids into the right direction, and we are very proud of the volunteers that participate in the league.

Again, it has been 15 years, and we look at all the trials and tribulations of developing a summer league, and developing additional activity for kids to have somewhere to go, and something to do during the summer months.

I would like to chime in with what Mr. George stated, that when I was growing up you had the Boy Scouts and you had various organizations for kids to keep them active and busy.

I think it is very, very important for our society to realize that you have to keep a kid active and busy and you have got to show that you care.

Those are very, very key components of trying to turn a kid from negative influences to positive influences. We found that that is what we do best. We do not teach basketball. We have basketball as a vehicle to get them in, but what we teach is about life experiences.

All of our volunteers are from various walks of life, but some of them are employed, some of them are not employed. They all have experiences to tell and a lot of the kids listen to their experiences and we try to be very supportive of their ideals.

We never hardly ever—and this is about the program—we hardly ever discourage them. We make sure that they do not use excuses. We make sure that they use alternatives.

Again, I am just really happy to be a part of this league, and the success the Stormin's Classic has enjoyed.

Alexis, again, will go into the more essential parts of the classic and talk to you about that.

Senator BIDEN. Coach.

Mr. NICHOLAS. Senator, thank you for giving me this opportunity to present on behalf of the Stormin' Norman League, the different components of that the league has.

The major component, as I see it, is educational opportunity.

Last year, I guess, in 1993, the All State Basketball Team came out. We found that four of the five students on that team did not meet the NCA requirements for admission to a divisionwide college basketball program, even though they had the skill level to participate.

Senator BIDEN. Four out of five?

Mr. NICHOLAS. The league responded in saying that tutoring is required for every student who participated in the basketball program. However, we believe that it is kind of unrealistic to think you can get a child that has neglected his education for the first 9 or 10 years, and then all of a sudden, in 2 years, prepared them to go on to college.

And a response to that situation, the league has initiated what we call the Future Starts of Stormin' Norman. We have identified 12 kids who are in the 6th grade right now, and we are going to work with them closely, and monitor educational progress from grade 6 to grade 12, and——

Senator BIDEN. Let me ask you a question.

Mr. NICHOLAS. Yes.

Senator BIDEN. Were any of those four kids in the All State Team? Did any member participate in the Stormin' Norman League?

Mr. NICHOLAS. All four.

Mr. GARLICK. All four did participate in the league, but what happens is that we—we are starting to chart it now—that the kids that start off from the 9 to 11 age group, we think we have more of an impact on——

Senator BIDEN. No, I agree. I just was curious whether they—go ahead.

Mr. NICHOLAS. So we have identified like 12 kids who we call the Future Stars of Stormin' Norman League, and what we are doing is, we are going to track their educational progress from grade 6 to grade 12, and hopefully those kids, when they get into the 12th grade and the scholarship offers start to come, academic progress will not be an issue for them.

We also have kids that everybody who participates in the league must go to tutoring, and again, I am not skeptical, I just think it is unrealistic to believe that you can take a child 1½ hours a week, and put him in a room and say here is some educational material from the Department of Public Instruction, and have a great impact on his educational progress.

The future stars hopefully will give kids an opportunity to assess where they are, early in their academic career, and give them an opportunity to find out where they are going to be.

If you want to be a division I basketball player, you know what the requirements are, it is your responsibility to get there.

We are here to guide you, we are here to help you, and we are here to push you along when you need a push.

The other educational component of the league is that we think it is important to say to kids, at an early age, grade 6 being probably too late, that you have to take some responsibility for where you want to be at the end of the road.

Basketball, we know the statistics on basketball, the number of players who make it to the NBA. We know that that is probably not going to happen till one out of every 10,000 kids who participate in the league—maybe. But we know they have an excellent opportunity to become a doctor, an excellent opportunity to become a lawyer, and I will give the accounting profession a big shout because that is what I am—to become an accountant.

So we are stressing education. The other component of the league that I would like to speak to you about is the youth violence initiative part.

We know that midnight basketball has taken a beating in the national press as being something other than what it really is.

But we can attest to the fact that between 5:30 and 10, Monday to Thursday, that we have at minimum, somewhere between 8 and 1,200 kids playing basketball in the Stormin' Norman League.

I am optimistic in my assessment, that I do not believe if they were not playing basketball, that they would be involved in a criminal activity.

But if we assumed that 5 percent of them would be, that is a 100 kids accounting for 40 or 50 percent of the crime happening in the city.

It is the hard-core kids that you must address in our league, the ones that we have to put out the league, and then take them back.

And I use Lenny Brown as an example, who comes from the Riverside, grew up in the "Bucket", grew up there all his life, but in the 9th grade had to get put out of Stormin' Norman League.

But came back, 10th grade, second team All State basketball player; 11th grade, All State basketball player; 12th grade, All State basketball. He is a shining example about what is good about the league, because he can go back to Riverside and say to some kids that "You can make it." I can say it, Vince can say it, "Norman can make it."

But for whatever reason, Lenny Brown commands the respect of all the kids in the "Bucket." And if he says they can make it, there are some kids who actually believe that they are going to make it because Lenny Brown made it. Make it for whatever reason you want to as far as I am concerned, but make it.

So we hold him out as a shining example of what is good about the league. The league has, as Vincent said, been mainly run, based on volunteers and contributions from sponsors. It has been a wonderful project to be involved in.

And I am sort of like the Bobby Knight of the league. You do not really want to play for me sometime because I am going to scream and holler. But at dinner today——

Mr. GARLICK. Loving and caring.

Mr. NICHOLAS [continuing]. I am going to take my kids home. I am going to drop you off at your house, and watch you go in the house. Now whether or not you stay in there, I cannot promise you that everybody stays there.

But I do know that when you show an initiative, you find a child, and you say to him I do care, I am going to come over there and see about you, whether it is 1:30 in the morning, 2:30 in the morning. I am going to make you leave Market Street at 11 o'clock because I know you are supposed to be home.

I know that the league works for those, because I know that I am not the only coach that does that. I know that the league has helped far more kids than it could ever get credit for.

I know that when you do not reach out to a child, you leave him out there to wander for himself, and the street is a harsh place to learn what reality is.

Dr. Mays once said, I heard him say, I happened to be listening not some people speak, and he once said, "The failure of life is not to achieve your goal, the failure of life is to have no goal to achieve."

We cannot guarantee that the kids who participate in the Stormin' Norman League will achieve their goal. We just try to give them a little light to turn on, to have a goal to achieve, and Vincent is going to speak to you again about some of the statistics of the league, about where the league is going, where we see the league in the next 5 or 10 years. Thank you.

Senator BIDEN. Thank you, sir.

Mr. GARLICK. Again, a lot of the things that Alexis is talking about are things that—actually, I want to take one step back.

I was one of the original draftees in the league back in 1980. So I actually played in the league. And fortunately enough, I ended up coaching, and am the president of the league, and I thank Norman for the opportunity to be here today.

Senator BIDEN. Where did you come from? What neighborhood?

Mr. GARLICK. I am originally from South Wilmington. We call it—it is South Wilmington on the map. We call it Southbridge.

Senator BIDEN. Right. You are from Southbridge.

Mr. GARLICK. That is correct.

Senator BIDEN. And what about you? Are you a Wilmingtonian?

Mr. NICHOLAS. All my life.

Senator BIDEN. What part of it?

Mr. NICHOLAS. Eighth Street—8th and Church till I was 15—West Side. 4th and Harrison for the last 20 years.

Mr. Garlick. And in talking about the teams of the league, currently we have 52 teams, and that is an average of probably, on each team, maybe anywhere from 12 to 15 kids. So you get the numbers——

Senator BIDEN. And you have a different coach for every team?

Mr. GARLICK. Different coach. We have approximately 56 volunteers. And again they are all walks of life. I am a banker by training. I mean, that is my degree, I am a banker, that is what I do. Alexis works for DP&L. We have coaches that are employed——

Senator BIDEN. I have to talk to you about my——

[Laughter.]

Mr. GARLICK. So I think it is important to have people there from all walks of life, to talk to these kids. You have to talk to them. You have to show them that they care. A lot of these kids, some of them are good kids, some of them are bad kids. When I say "bad," they tend not to follow the straight path, they tend to curve off the path, here and there.

But the most important part is, if they do not have structure in their home, we try to have it there for them at the class, and I think it is something that is all dear to us, to our heart, that we make sure that, hey, these kids are going to have someone to talk to, these kids are going to make sure that we can get them from one place to another.

So it is not basketball at all. It used to be basketball back in the old days. We were really worried about them W's and the losses, the wins and losses.

But now we are looking at, hey, we want these kids to make it, we want these kids to take those steps up there to be very, very successful.

So that is the attitude that we have taken, and again, you know, you, Senator, you have been with us for a long while, you have been very supportive of us for a long while, and you know the struggles and where we are at now, and I think that is a tribute to all of our volunteers and our sponsors.

[EDITORS NOTE: Stormin's Classic Basketball League—Classic Program descriptions—is retained in commitee files.]

Senator BIDEN. I think it is as well. You have done a heck of a job. I have some questions for you both, but I would like to ask Twsana to speak to us because here we have something in the flesh, an 11th grade young woman who can tell me whether all this is a bunch of junk or whether it means anything.

## STATEMENT OF TWSANA SEWELL, WILMINGTON HIGH SCHOOL STUDENT

Ms. SEWELL. Well, I want to thank you, and good morning, my name is Twsana Sewell. I attend the Phoenix Academy at Wilmington High.

I am a member of JJAG, Juvenile Justice Advisory Group, and today I have just picked out some problems that I see, you know, being a student, and some possible solutions.

The first problem I saw is guns, and the easy access, how children from 11 to 15, or even younger, can, you know, go out and buy a gun and use a gun.

And also, that guns do not have to meet any health and safety standards, that, you know, if it were to fall on the floor, that, you know, there is no guarantee that it will not go off, or that a toddler could pick up the gun and, you know, still pull the trigger.

The next thing was substance abuse, from selling, using, and from it impairing your judgement, selling and using—you know, for using, you have to have money to buy the drugs, and not everyone has the means to just, you know, buy, buy, buy.

So where are you getting the money from? Are you going about it in illegal ways?

And when you are selling, you know, as people usually protect themselves with illegal weapons and whatnot, and that is when people can get hurt.

The next is fistfights which you can see in the school or whatever, which can stem from anything. Low self-esteem. OK, she looked at me wrong, you know, so that might want to—you know, start something there. Or just anything. She pushed me. She bumped into me.

The next is emphasis on materialism, and it is very important to especially youth, the way you look, and the things that you have, you know, and not everyone has the money to go out and buy these certain amount of things.

So that might make you feel bad about yourself, or you might go out there and start stealing, and, you know, be caught up in the system that way.

The next is peer pressure. You know, there is positive peer pressure and negative peer pressure. But the negative peer pressure is very important for a child or a youth to feel like they fit in and they belong to a certain crowd, and with peer pressure it is like if you do not do a certain thing, you know, then you are an outcast and you do not fit in, and that may influence you to do something that otherwise you would not have done.

And last gossip, like "he said, she said" stuff. You know, "I heard you did that, I heard you did that." And if there were better communications skills, and whatnot, you know, that half of these things could have been prevented in the first place.

For possible solutions, just have things for kids to do after school, during the summers, on the weekends, instead of having them just out on the streets.

You know, like the Boys Club, Girls Club, camps, jobs, volunteer work—just to get them involved and have them do something that interests them.

And also to have parental supervision, to make sure that your child, you know, is doing the right thing, and monitoring what they do, what they watch on TV, who their friends are, where they are going, when they are coming home, and things such as that.

And to back that up, to have parenting classes. Now that parents are becoming younger and younger, you know, they do not know what to do with the children. They are not as experienced as someone who might be in their late 20's. They are now having babies at maybe 15 or 16. So in the schools, or a weekend class, you know, to have some kind of curriculum or whatever, and help them, you know, to see what they can do with their children, as guidelines and whatnot.

Latchkey programs, after-school, somewhere they can go that is constructive instead of sitting home, watching TV. And being with other kids and having a mentor or role model type person who might be there.

Conflict resolution in the schools. Communications instead of just, you know, fighting about it and whatnot.

And last, peer counseling. Having students and teams go through training to be a peer counselor, to mediate things, and to talk with, you know, the children who are involved in problems in the school.

That is it.

Senator BIDEN. I think I just found the person who is going to take my job. [Laughter.]

How old are you now?

Ms. SEWELL. I am 15.

Senator BIDEN. You are 15 years old?

Ms. SEWELL. Yes.

Senator BIDEN. You are dangerous. 15 years old. You have so much poise. I am truly impressed.

Let me ask you, you heard these gentlemen, these old guys sitting next to you over here talk about providing young men and women with a sense of self-esteem. What is it really like?

You are going to be a junior?

Ms. SEWELL. Yes.

Senator BIDEN. You are going to be a junior in high school. What do the kids think of you? I mean, let's assume every kid in your school just heard you sitting before a United States Senator saying what you said.

Would they think you are out of it? Would they think you are cool? I mean, how do you think your friends—not friends—the kids you go to school with, what would they think of you today, saying these things? You know, you are just some kind of—you are out of it, or you are in it, or are you a role—it is a hard question to ask you.

But I mean, how in the real life, if you say these things in the student assembly, if the whole student, if Wilmington High School were assembled, and I held this hearing in front of everyone at Wilmington High, what would the other students say?

Would they boo? Would they clap? Would they sit there and wonder what is she talking about? What do you think?

Ms. SEWELL. Well, I know it is not necessarily perceived as cool for someone to think about such problems, you know, in their spare time, or to even talk in front of a group or whatnot.

But I do not know what the vast majority would think, but I would think that maybe half and half. Some people would, you know, know what I am talking about and be interested, willing to help, and maybe others sit there in wonderment, you know, What is she talking about?

Senator BIDEN. Now where do you live?

I do not mean your exact address, but what part of town do you live in?

Ms. SEWELL. North side.

Senator BIDEN. North side.

And when you go to school, are you ever frightened when you go to school about guns?

Do the kids you hang out with, do they worry about that someone may walk in the school with something like this, and when you are walking back home or taking the bus home, you get out—I mean, how conscious of you, are you and your friends, of all the things you hear about?

You know, we have police here today talking about how, you know, violence has increased and things have gotten worse.

I mean, is it something you consciously think about? Or is it kind of like earthquakes? People live out in California, they know the earthquakes come, they know the reality, but they do not live every day worrying about if they get off the bus, if they are going to step on to a fault in the earth and be swallowed up.

Ms. SEWELL. I personally do not worry about, you know, being hurt, or you know, a gun situation or something. But as to say what other students think, I——

Senator BIDEN. No, I am just asking you how you think about——

Ms. SEWELL. I do not feel uncomfortable going to school, you know, I feel safe and whatnot. You know, there are conflicts that, you know, everyone goes through. But basically, they have been handled, and they were not to a point where someone brought in a weapon.

Senator BIDEN. Now one of the things that you said that I suspect some of the people who might listen to it would have picked up, they may have been a little surprised about, but from my wife teaching in the public school system for 17 years, it did not surprise me at all.

You talked about fights in the school, and you used the pronoun "she" when you talked about it. She looked at—that way, and she did that and she did this, and as opposed to when we were in school—I am an old man, I am 52—when I was in school, the idea that you would never see two girls fighting, yanking each other's hair out, or hitting each other, or threatening each other with anything from a razor to a nail file, did not exist.

But today, it happens a lot, does it not?

Ms. SEWELL. Yeah. I have the feeling that, you know, girls are very much into what they look like, you know, and boys and stuff like that, and where as they might not have, you know, the self-esteem and whatnot. So they would feel challenged, you know, if someone looked at them a certain way or whatnot.

Or you know, there are a lot of fights that go on over boys, you know. "She is trying to steal my man." You know.

Senator BIDEN. Now when you say "fights" you actually mean fights. You mean fights here people are——

Ms. SEWELL. Yes.

Senator BIDEN. Because I think most adult women, when you say "fights" think you would mean arguments as opposed to fights.

Ms. SEWELL. Well, there are both.

Senator BIDEN. I know there are both. But it is one of the changed phenomenon, I think, at least speaking to school administrators, that has occurred over the last 15 years, maybe longer, maybe shorter, that there are those kind of fights that are physical fights, and can get pretty tough.

Now let me ask you, in terms of the league, one of the things that—it seems to me it is self-evident that just occupying anywhere from 800 to 1,200 kids in the summer, at night, is a positive thing.

I mean, if you put 800 or 1,200 kids in a movie theater for four hours, four nights a week or five nights a week, assuming things were not happening, bad, in the movie theater, it would have to have a positive impact in the sense that you do not have that many kids out in the street or some portion of it.

So that is kind of obvious. But let me be the devil's advocate for a minute, because every time I talk about the league, and as you know I also am the proponent of the midnight basketball. You are partially responsible for me getting in that trouble because of the success—[Laughter.]

Senator BIDEN. But people come up to me and say, Joe, yeah, yeah, yeah, that is all fine, but I mean, what efforts do you have that does anything positive? I mean, you know, you might produce some All State basketball players, and that is great, fine, maybe they can go to college, maybe they cannot. But you know, God, to be encouraging that—I mean, what difference does it make?

And you even said, Alexis, that, you know, I think we would all acknowledge, 1½ hours of tutoring a week is not going to change a kid from a dropout to being able to qualify to go to college.

I mean, you are so busy just keeping thing in the league going. Do you have anything other than anecdotal evidence that this has a positive impact?

What I meant to ask Guy Sapp and Tom Gordon, when they were up here, was whether or not they observed any difference in the crime rates or juvenile delinquency before and after, during, you know, the league.

How many fights do you have to break up inside the—I mean, do you have difficulty inside the gymnasium?

Mr. GARLICK. At times we do, and we probably had fights like—if we take this year, till the start of June 19, until this period now—we may have had one or two, that is a lot of kids and that is not a great number there.

Senator BIDEN. You have that many fights on a college basketball court during practice.

Mr. GARLICK. That is right.

At this point, we do not have any statistical information to actually track the progress of a kid from one point to another, to say, hey, we definitely had an effect on this kid.

But what we do have is letters and documents from kids that graduated, that are in college, who say thank you for the interaction with the other kids in the inner city. Thank you for the opportunity to participate in your league.

A lot of the kids that do participate in the league are by no means are kids that are—I do not know how—for lack of another word—dumb kids. These kids are smart. A lot of these kids are smart and they have hidden talents.

And what we try to do is bring their talents out. We have not taken a lot of credit for a lot of things that happen to these kids over their life, but we are in the process of trying to provide information and statistics for people like you.

Senator BIDEN. Well, fellows, statistically, one thing I am confident would be shown: When they see two guys, one from the North end, one from Riverside, or wherever you are from, walking in in suits and well-dressed, and they see you on the street, and you have two black African males who are making it, making it in the uptight society that we have out there—they look at you guys—I cannot believe that that, all by itself—quite frankly, I imagine, presumptuous of me to say this—but I imagine you have more impact on a kid when you walk in after work, if you walk into the gym looking like that, than you do when you are teaching the kid how to move to his left.

In terms of the lack of black male role models, that are there, just for folks seeing you.

Mr. GARLICK. It does play a part in that, and Alexis can speak to it as well.

Mr. NICHOLAS. Let me back up for 1 minute and address your question about how do you know that you are having an impact, because I think that when people talk about midnight basketball, and I find it hard to believe that intelligent men cannot come to the same conclusion, is that when you talk about taking 25 kids off 5th and Madison, 30 kids off of 30th and Market, 30 kids out of Southbridge, 30 kids out of Riverside, and put them all in the same gym, getting them to play on different basketball teams——

Senator BIDEN. That is right.

Mr. NICHOLAS. They are not all on the same team.

So now you are not on the court with your buddy, your best friend, that you are willing to die for on the street. At least in my neighborhood people are willing to die for.

What you are doing is taking—when you talk about crossing lines here, you have got a child from Riverside, you have got one from Southbridge, you have got one from the West Side. But when they get on the same team, winning takes over. The need to win takes over being Vince Garlick's best friend.

Vince is not on my side. I do not care what Vince thinks right now, because now I am with these brothers on my squad, and I am here to win.

Winning is the name of the game when you are on the basketball court.

So you build some friendships, you build some relationships, you build things that you could never get them brothers to do——

Senator BIDEN. Do you have kids that are different gang members, different gangs, different participation?

Mr. GARLICK. Not formally, but——

Senator BIDEN. No, I do not mean formally. But I mean informally——

Mr. GARLICK. You can tell the guys that hang out together because they are always seen together, and the part of the town that they are from is not a town that you are baking cookies or something like that. [Laughter.]

But we are understanding that we have it—and I go back to the same point again—we do not have any statistics right now, but what you can do is look at the kids and talk to the kids themself.

And we had some kids to come here with us, but they kind of got nervous and backed out. But still, just talking to the kids and saying this is how the league is ran, we are offering them alternatives to hanging out on the streets, we are offering them education, we are offering them public safety, we are offering them a community project——

Senator BIDEN. Well, the reason I ask the question, I have worked for years in the projects in the East Side. I worked as a lifeguard at Price's Run. At the time I was there, I was the only white employee at Price's Run, as a lifeguard.

Guys like Lafayette Jackson, and a whole group of guys—who, by the way, I believe Lafayette is now a neurosurgeon. I am not sure of that. And Spencer Henry is a hell of a quarter-miler.

A lot of guys I went to school with. Jamie Rawls. All these guys there are my peers. And one of the things, being a white boy from suburbia, it took me a while to figure out—and this is back in the early 1960's—was that I was coaching the swimming team, and I could not get the same people to be on the same team.

And it took me a while to figure out, the reason I could not is because they wore different colors. There was a New World Gang back then. There was an outfit, believe it or not, called the Golden Dragon Head Chompers of 22d Street.

There was a whole group of people that literally would not—they would come into the only sort of safe area, was inside the pool, because everybody knew they would not be able to come back to the pool if they conducted their activities against one another in the pool.

But I found, literally, difficulty getting somebody to swim on a relay team.

I could not get three guys from one gang—and not everybody was in a gang, but a lot were—I could not get three guys in one gang to let another guy in another gang, even though he may be, you know, the best guy in a medley for the butterfly, could not get them to do it.

What I am trying to seek, since I am so out of touch—you know, that is a world I used to know and come from, and it is totally different now. We did not have this. We worried about straight razors and we worried about zip guns, and those of us who worried about being on the other end of it.

I mean, the idea of me walking out and having to worry about throwing a kid out of a pool, whether somebody was going to have a 9 mm waiting for me when I get to my car instead of a straight razor, which on two occasions was waiting for me when I got to my car. You know, different world, different world.

So I am not trying to make the same equation. I am just trying to get a sense as to whether or not, when you say you take somebody from 3d Street Bridge, somebody from Madison—I mean, usually, that also identifies turf, whether or not it is a formal gang or not.

And to get them on the same team, I do not know whether that is a difficult thing to do or whether you get resistance or whether you—are there identifiable, not gangs in the league, but there have got to be kids in the league who are members of gangs.

Mr. NICHOLAS. You are right in saying that. The gangs typically are not like your Blood and Crips and things like.

Senator BIDEN. Right.

Mr. NICHOLAS. I think it is more of a territorial type of corner gang. You figure a lot of these kids associate with people that do a lot of things illegally.

Senator BIDEN. Right.

Mr. NICHOLAS. In other words, they do not want to come out and say it, but a lot of these kids do because of where they are from.

And most of the young kids around a certain age decide that they do not want to take a part-time job, they would rather do something different.

In that sense, yes, you may have that kid hanging around those other kids that are not doing what they should be doing at those hours. In that time, you may have a problem with this kid saying, Hey, you are from this side of the street and you are over there with those guys; you should not hang out with these guys.

Senator BIDEN. Got you. That is all I was trying to get at. It would seem to me it would be a benefit if you are able to make it clear to a kid from Eastlake, that somebody from the East Side is not somebody, necessarily their enemy, that they are the same.

Mr. NICHOLAS. I think the league does that in saying that you cannot just walk up and get on a team. Like you cannot bring your five, and saying that we are going to be——

Senator BIDEN. Got you.

Mr. NICHOLAS [continuing]. Say that we are going to be Loretta Sharif or something, that you have to get drafted. And what the draft does is try to get people. Inevitably, statistically, what will happen is that kids from different sides of town will get on different teams.

And so you will not be on a team, necessarily, with a guy you played with in high school——

Senator BIDEN. Now I know from experience you have also got some suburban kids that play in this league.

Mr. GARLICK. That is right. You know, the league has grown over the years, and the best part about the league is that it is teamwork, it is discipline, and the kids are benefiting from the friendships that they are developing.

Those friendships will carry them on through the rest of their lives, hopefully it will help them make our streets a little safer because they can identify with one another.

Senator BIDEN. Well, I think you are doing a good job. I appreciate what you are doing. I think it is going to be very difficult to measure precisely what happens, but I think it is just basic common sense, that what you are doing I think is beneficial in 1,000 ways.

And Honey, is anyone here with you today?

Ms. SEWELL. My mom and my stepdad.

Senator BIDEN. Where are they? Mom and dad, stand up, will you. [Applause.]

You are to be congratulated. Now I know, if you are like my 14-year-old—you are older—you are wondering why we are giving your parents credit for how neat you are. [Laughter.]

But the truth is, we all think they probably had a little something to do with it. So again, thank you for being here, and let me move to the next panel.

Mr. NICHOLAS. Mr. Chairman, just one more thought?

Senator BIDEN. Sure you can.

Mr. NICHOLAS. Pell grants for prisoners, something dear to my heart.

I taught a class in Gearny Hill last semester, Delaware State University, 18 of the brightest people that I have ever been around were in that prison, in that class.

Senator **BIDEN**. You know, we have done something that I think is, quite frankly, crazy, and it has not passed yet. The House of Representatives passed it; it is not through yet.

We have stripped all Pell grants, we have stripped all—they have even gotten to the point in this period of enlightenment, that the way they figure to punish criminals—I guess we did take the Pell grants out in this one. In other words, we lost. They stripped the Pell grants out.

I came within several votes on the Senate side of keeping it in, but we lost on that.

And beyond that, not only did they take away the Pell grants—and for those of you who do not know, Pell grants are aids to scholarship money for students to go to college, and for disadvantaged students, primarily.

And we used to be able to qualify in the prison system for Pell grants. You could go work toward your college degree. It caused an outrage as we were cutting funding for college, which I do not think we should have cut anyway. Overall, people said, Wait 1 minute, we are going to give prisoners a chance to go to college and we are not giving somebody out here a chance? When the truth of the matter is, if you notice, you heard five people here before you—Democrat and Republican, conservative and liberal—all saying it makes no sense to do that kind of thing, although they did not mention Pell grants.

You know what else they went ahead and did? Stripped—for the Federal prison system—took away the ability of wardens to control the outlet for a lot of young men with high levels of energy. What they did as a punishment? Took out weight rooms.

They decided there would be no ability to use weights in Federal prisons because that somehow is punishing, and every warden in America, the most hard-baked warden in the world says, My God, what are you doing that to me for? What are you taking away a weight room for? What is the outlet going to be?

But at any rate, they are not being very enlightened. But I appreciate your comments.

Now, they have been waiting a long time. Our next panel, which was supposed to come on at a quarter of 12, and we are obviously running late, is Gloria Fine, chair of the Juvenile Justice Advisory Group. Guy Molock, director of F.A.M.E., a program that stands for Forum to Advance Minorities in Engineering. And Rev. Steven Hare, the Faith City Church and School, operates a TV studio, a 300-plus school, day care, community service program, youth services program, a nursing home, and all while being a minister.

And Mark Pacilio of the United Way of Delaware, chair of the Youth Violence Subcommittee; also director of the Delaware Center For Justice.

And Marion Hinson, the YWCA program for female juvenile offenders, and since 1991 the YWCA has offered the only alternative program for female juvenile offenders, girls between the ages of 12 and 18.

And Guy has not come back yet, but we will begin. My staff suggested that we break for lunch, but I have known Gloria too long. If I break for lunch, she is going to break my leg, because they have been sitting here a long time.

At any rate, why don't we begin, maybe in the order, just for lack of a better way of doing it, the order in which I introduced you.

Gloria, welcome, it is great to see you.

## STATEMENT OF GLORIA FINE, CHAIR, JUVENILE JUSTICE ADVISORY GROUP

Ms. FINE. Thank you. I would like to thank you for asking me to testify. My name is Gloria Fine and I chair the Juvenile Justice Advisory Group, otherwise known as JJAG.

All the members of JJAG are appointed by the Governor. JJAG is composed of juvenile justice professionals, committed private citizens, and youth. JJAG serves three purposes.

We advise the Criminal Justice Council, the designated State criminal justice planning agency, on funding and policy issues relating to children.

We advise the Governor and the legislature on legislation that impacts Delaware's children.

Essentially, we plan and administer the Juvenile Justice Delinquency dollars that Delaware receives from the Federal Government, a total of $862,000.

I would like to publicly thank you, Senator, for your continued efforts to retain these crucial dollars for Delaware and America's children.

JJATG and the Criminal Justice Council have a long history of implementing innovative, successful programs for Delaware's youth.

Some of these accomplishments include removing dependent, neglected and abused children from processing through the criminal justice system; creating a children's trust fund that now perpetually funds child abuse prevention programs; closing the girl's prison which formerly housed as many as 50 young ladies who are now successfully treated in a myriad of in-home and out-of-home treatment modalities without posing a threat to the community.

The juvenile justice dollars have successfully implemented many innovative programs for youth throughout our State.

These programs have included shelters, group homes, tutoring programs, Boys and Girls Clubs in Brookmont Farms, Dover, Seaford, and Milford. Staff training——

Senator BIDEN. I heard some really good things about the Dover Club. On Saturday, they have got some really good things.

Ms. Fine. Staff training programs. Diversion and alternatives to incarceration programs.

Although we in Delaware have made great progress in how we treat our youth, depressing and sad conditions still cloud some of our children's chances of becoming productive adults.

It is also alarming to report that most causes of crime and violence that existed in studies produced by the Criminal Justice Council in 1984 still plague us today.

As early as 1984, studies concluded that as many as 60 percent of female juvenile offenders were victims of sexual abuse; 60 percent were placed in at least one mental institution before they committed their first criminal act.

In 1986, a Criminal Justice Council study indicated that over 50 percent of incarcerated boys had drug/alcohol problems, emotional handicaps, came from a dysfunctional family, had dropped out of school, and were civilly under State custody before their first criminal conviction.

In 1986, over 50 percent of the incarcerated population were minority.

In 1995, we have the capacity to more fully study and understand what type of youth enters our juvenile justice system.

We can even pinpoint neighborhoods where our delinquent children live. These neighborhoods are predominantly poor, with appalling high school dropout rates, high rates of unemployment, high rates of single parent headed households, and teen pregnancy, frightening crime rates, extensive drug/alcohol use, and over-representative of minority children and extensive welfare dependency.

Studies in Delaware now indicate that as many as 30 percent of Delaware children live at the poverty level. One out of two African-American children live in poverty.

Sixty percent of families without health care are headed by someone working full time. Delaware's annual school dropout rate was 4.2 percent in 1992–1993. African-American children drop out at a 5.8 percent rate.

During the school year 1993–1994, 2,060 reports of violence were processed in Delaware's public schools.

Violence and violent crime continue to grow in our youth population at an alarming rate.

Between the years of 1989 and 1990, the number of juveniles arrested for violent crimes more than doubled.

In 1990, 10,567 people were killed in the United States with handguns. Easy access to weapons certainly is partially responsible.

I wish I knew the answers to these ever-increasing problems, but I do not.

I do know that our society is extremely threatened by these trends, and many feel the answer is to lock them up and throw away the key.

JJAG does not believe this is the answer. For those who commit serious violent crimes, the punishment must be swift, meaningful, and must provide safety to the public.

In May, JJAG submitted our updated State plan for 1995, which detailed how we would spend the $600,000 in formula grant money.

This year, JJAG developed working committees comprised of representatives of all three counties and included non-JJAG members.

They examined the juvenile justice system, our needs and accomplishments, and recommended that we commit 29 percent of our money to prevention and early intervention programs.

Further, JJAG has allocated a total of $419,020, 47.5 percent of our total juvenile allocation of $862,000 to prevention and early intervention.

I would like to make the following recommendations to the Committee.

1. Support the reauthorization of the Juvenile Justice Delinquency and Prevention Act. While we have not solved or eradicated juvenile delinquency, I believe the act recognizes the wisdom of providing special emphasis to this population who are America's future. Maintain the composition of the state advisory groups like our JJAG, which must include a certain percentage of youth, and a certain number of members must have been or are currently involved in the juvenile justice system.

2. Violence, and the indicators of violence needs to be better defined, and understood as a learned behavior, developed over time, so that we can develop programs which will prevent the escalation of minor events into major violence.

Violence prevention education should start as early as possible. Conflict resolution and mediation techniques should be utilized in all areas of the country.

3. It makes good sense, economically, to invest in prevention and early intervention. We know this to be true whether we are looking at health issues, as in cancer, or juvenile delinquency. It costs us less, in the long run, when we provide interventions up front.

These juveniles have multiple problems. We need to develop comprehensive and holistic prevention programs especially in our poor neighborhoods.

The Communities That Care approach makes sense. Programs that have worked are those that are culturally and ethnically sensitive and include public safety, tutoring, recreation, health care, job training and placement, parent training, and drug and alcohol rehabilitation.

Another important aspect are the programs in our schools which enable learning to occur, like support groups, conflict mediation, student courts, peer counseling, and parent involvement and accountability.

Family Preservation Programs originally developed in the Child Welfare System work. They need to be utilized more fully in the juvenile justice system.

4. Continue to review societal problems and social/criminal justice agency policies that might contribute to the over-representation of minorities and gender bias in the criminal justice system.

5. Continue our efforts at welfare reform.

6. Continue to reduce the availability of guns to youth.

7. Recognize that drug and alcohol rehabilitation and quality after-care programs are crucial to reduce recidivism with our juvenile efforts.

8. Hold more hearings where youth speak out. Listen to those who are currently in trouble. They provide us with a unique picture of life and many times provide insight on the course we should take.

Thank you, again, for the opportunity to share with you what JJAG has been doing and will continue to do in Delaware to maximize the Federal dollars we receive and to try to find the answers which will minimize the escalating violence of our youth.

Senator BIDEN. Thank you very much, Gloria.

Reverend Hare, the floor is yours.

## STATEMENT OF REV. STEVE HARE, FAITH CITY CHURCH AND SCHOOL

Reverend HARE. I wanted to address one of the things you had said earlier about the need for volunteers, and mentoring our young people.

I believe there is, and prejudicially speaking, but I believe there is a door of great opportunity that has more potential, that is, the local church.

All of our local churches here in the State of Delaware provide a great opportunity because of the environment they have already provided. People are attending these places on a weekly basis and so forth, and are being motivated to be involved in some way in their community in most of these houses of worship.

The level of commitment from a spiritual premise, as a local minister speaking here, I teach our congregation that we are our brother's keeper, that we are responsible for the hurts that are going on around us, regardless of race, creed, color, or whatever religion choice there may be.

And I like this statement; it is five words. There is power in the pew. There is power in the pew that is really not being tapped, I do not think, as we could see, collectively, in the State of Delaware, for these volunteers and for mentors.

And for example, our new radio station that we just built, 89.1 FM, had an interfaith event.

We did an experiment, and we thought we would hold something for teams, and invite all faiths to come, many clergy, many religious people.

And we were discussing abstinence, and it was promoted. Over 600 teams showed up for this event of every walk of life, every denomination, and we saw nearly 600 teenagers sign a card at the end of the evening saying that abstinence is the best way concerning the AIDS issue.

And I only bring that up as an example because I believe we have so many great ministers here in the State, so many wonderful parishes and synagogues and churches, and if we could bring together the clergy, with all of the power that is in their pews, and see how we could interact and network the situation of mentoring, I believe there is a lot to be said.

All of the wonderful programs we have heard here today and Mrs. Fine here, sharing what she is going through the JJAG operation.

I think just networking the religious aspect, the aspect of the pew, the local congregation has a lot to bring to the table, and I would like to do anything that I possibly could as a Delawarean, as a local minister, to use any resources to bring the clergy, to bring churches of all faiths together, to try to get some more volunteers and mentoring of these young people.

Senator BIDEN. I appreciate your comments. Before we go on, I would like to ask all of you to think about this question, not to answer it now.

One of the reasons I think it is important that—the reason I invited you, Reverend Hare, is you are an evangelical minister, generally thought in the minds of an awful lot of people who are not evangelicals, as to have much more emphasis on a particular philosophy of religion than on being willing to be ecumenical.

I know that not to be the case, but I do not think that is the general proposition.

I would like you to think about, in light of the president has recently made the point that every school district in the Nation need not be a religious free zone. That whether or not there is—you all think there is an ability to sort of overcome what has historically been this dividing line among the various churches and the willingness for voluntary organizations in churches to interface more—because I think there is a phenomenal resource in the synagogues and in the churches in this State.

And it used to be the single most powerful ingredient in the black community, still is extremely important, but like all communities, like all institutions, we have all been in for a rough ride in terms of the way—what esteem in which we are held.

I want to come back to that. I want you to be thinking about that for me, and I would like to ask—and I mispronounced your name.

Mr. PACILIO. It is Pacilio. It is okay.

Senator BIDEN. No, it is not. You can say Joe Bidden in return. And how to you pronounce it?

Mr. PACILIO. It is Pacilio.

Senator BIDEN. Mr. Pacilio, welcome. The United Way has been a major factor in Delaware for a long time and I am anxious to hear from you.

## STATEMENT OF MARK PACILIO, UNITED WAY OF DELAWARE, CHAIR OF YOUTH VIOLENCE SUBCOMMITTEE, AND ASSOCIATE EXECUTIVE DIRECTOR OF THE DELAWARE CENTER FOR JUSTICE

Mr. PACILIO. Thank you, Senator.

I appreciate the opportunity to testify today on behalf of my agency, the Delaware Center For Justice, where I am the Associate Executive Director and the United Way of Delaware, where I chair the Government Relations Subcommittee on Youth Crime, and I am also speaking on behalf of the Youth Violence Prevention Initiative.

I know that these hearings have brought an array of opinions, positions, and viewpoints to you with respect to youth violence.

In my brief statement, I wish to make just a few important points.

Specifically, I will summarize the position of the Youth Crime Subcommittee in relation to your Crime Bill, which is now the Federal Crime Act, and the current House Resolution 827, the House Republican bill of this year, and discuss the importance of prevention as a component within the juvenile justice policy.

First, I would like to talk a little bit about one early intervention program, the United Way's Youth Violence Prevention Initiative.

This initiative has been operating on the west side of Wilmington since November 1994. It is a community-based, multiagency collaborative project that employs proven prevention and intervention strategies and intensely focuses in on 140 high-risk youth ages 8 to 15.

Additionally, support and assistance are offered to the families of the participating youth.

Case management and coordination of services, and a consistent, intense, youth-centered focus lies at the heart of this multiagency collaborative.

The addition of a wide range of diversionary activities, supplemental educational services, counseling, family support programs and mentoring round out the overall service framework of this initiative.

The youth are intensely monitored and tracked, and are taught life skills such as anger management, and conflict resolution.

There is extensive literature support indicating that these types of interventions work, but never before in Delaware have they been woven into an integrated system such as has been developed by the United Way and seven of its member agencies.

I would like to share with you a brief example of how this project is saving lives. James is a spontaneous 11-year-old. He has been arrested a number of times for theft and assault. He has been a runner for crack dealers, expelled from school, and has been picked up for carrying a knife.

His mother is an alcoholic. His older brother, age 18, and closest uncle, are in Gander Hill Prison. His grandmother watches out for him, but she is too elderly to manage him.

James is usually out late at night and no one knows where he has been going. The number of different men coming in and out of his home has caused him to become confused and frustrated, but mostly angry and aggressive.

James entered the program in December 1994 with extremely irregular attendance. He did not really want to be there.

Senator BIDEN. How did he get into the program?

Mr. PACILIO. Well, the referral originated with the Delaware Family Court. And after 2½ months, a number of rounds of video games and a couple of trips to McDonald's, the assigned youth worker finally got through to James, and he started attending the center on a more regular basis.

The agency's social worker/case manager was successful in holding meetings with his mother, grandmother, teacher, a Division of Family Services work, school counselor, and a number of other critical people involved in James's life.

An overall strategy was developed relating to the ways and methods in which all involved were going to work with James, and a comprehensive treatment plan was put together.

It took about 3 months to put all of the necessary service pieces into place so that the plan could move forward.

The plan addressed James and his dealings with school and everyday life, his parents' substance abuse, and child management, and ways in which James could be exposed to positive things in life as well as the way in which he saw himself.

After some prodding, James's mother agreed to enter a substance abuse treatment program, and his grandmother and mother are now working with a social worker to learn ways in which they can better relate to and manage James.

James comes to the center now every day, and frequently stays until it closes.

This summer, he is participating in tutoring at the center, and he has already learned some computer skills. He has also learned to swim. He sometimes still gets into fights and other acts of regressive behavior which require continued attention. His anger over his mother and life in general need more time to resolve, but the program has reached out to James and he is reaching back.

Hopefully, this will turn out to be an example of how a kid on a path toward habitual delinquency was prevented from continuing down that path and steered toward a more productive and meaningful life.

Though the United Way youth violence prevention initiative is just over a half-year old, and it is difficult to, at this time, to show whether there will be a marked reduction in youth violence in Wilmington's West Side—as a matter of fact it is being evaluated right now based on an outcome evaluation process through the University of Delaware.

This example of James is a clear demonstration that carefully crafted prevention and intervention strategies can have a tremendous impact on the precious lives of our youth, one life at a time.

I chose to begin with that description of the violence prevention initiative and an example of how it is helping one youth to put into context the importance of prevention as a legitimate juvenile justice policy.

That is why the Delaware Center For Justice and the United Way Subcommittee on Youth Crime fully support the prevention programs funded under the Federal Crime Act, and really oppose the passage of House Resolution 728, the House Republican crime bill alternative, as I call it.

That bill, in essence, would reverse any prevention programs and resources that you have so valiantly preserved.

Other block grant bills currently in Congress will also undermine the prevention strategy that your bill is accomplishing, which I call closing all the windows.

With programs like the initiative I discussed earlier, and others that run later at night, coupled with programs like your community schools service initiative, which would keep schools open after hours, communities can essentially close all the windows of opportunity for youth to get into trouble by providing continual programs and services throughout the day.

This is not pork. This is realistic sound prevention strategy. The juvenile justice policy must include a strong prevention component. This component should be supported with a commitment of at least the same percentage of resources as the treatment and corrections components, if not more.

In other words, there must be a balanced approach within juvenile justice policy.

Why, some might ask, in this day and age, when youth violence is increasing at such an alarming rate, would I advocate for increased prevention resources? After all, prevention programs are not even going to touch those youth who are already seriously violently—chronically violent. They need to be punished.

Well, I could not agree more, that those youth who are a danger to society should be removed from the community, if, for merely public safety reasons alone; but the very reason those seriously chronically violent youth are so prevalent today is because we failed to have in place policies and resources to support collaborative community-based programs which could have prevented high-risk youth from becoming delinquent in the first place.

Let's not make the same mistake twice. We must fight to preserve the prevention programs and resources included in the Federal Crime Act and advocate for even stronger prevention policies in the future.

For every James in this world, there is at least another kid who is not intercepted early on, and becomes a juvenile justice statistic.

Nonprofit agencies play a crucial role in provision of the services for collaborative efforts like the youth violence prevention initiative, but cannot survive without supporting policies and adequate resources.

I would like to end with this thought. Building more prison beds to house more offenders is a popular policy today, but unfortunately, in order to use a prison bed there has to be an offender, and sadly, in many cases of violence, there has to have been a victim.

Why not commit more resources to programs that prevent youth from becoming violent in the first place, therefore, preventing someone from becoming a victim at all?

Thank you very much.

Senator BIDEN. Thank you very much.

Ms. Hinson.

## STATEMENT OF MARIAN HINSON, HOUSING DIRECTOR AT THE YWCA OF NEW CASTLE COUNTY

Ms. HINSON. My name is Marion Hinson. I am the housing director for the YWCA. It is indeed a great pleasure to be here today. You have always been one of my special people. I have been following you and your career for many years. So it is an honor for me to be asked to come here to speak.

The mission of the YWCA is to help women and girls achieve their full potential and to eliminate racism. We have worked with juvenile adolescent female offenders since the late 1970's.

At that time, we worked with adjudicated females through our Independent Living Program. Currently, we operate a Youth Residential Program.

YRP is the only supervised detention facility for teen girls in the State of Delaware. Since it began in 1990, we have served over 200 girls ranging in age from 11 to 19 years.

The girls at YRP have needs that are different, but just as important as those of boys. Many of the girls we see come from dysfunctional families.

I have a problem with dysfunctional families, and I have a problem because each time people are different, and there seems to be problems going on, we always label them, and then we beat up people for carrying the label, but the minute that they act any different than what we deem as normal—and these kids walk around with labels on them.

And I work with these kids who have the labels, and know the pain that they feel inside by carrying these labels. And some of them react to the labels that they are carrying. So I had to say that at that juncture.

They have been sexually abused. They have dealt with substance abuse problems among their parents, and have developed problems themselves.

We see an alarming number of kids that are coming into not only the Youth Residential Program, but I also oversee a transitional housing program for single women with children, single men with children, and single husband and wife with children.

And many of the families that are coming in have been in the system for many years. And many of them have come through the system by being involved in a substance abuse home and then grew up themselves becoming addicted to either alcohol or crack cocaine.

And now the most alarming that is going on now is crack heroin. Though they are still children themselves, many are responsible for raising younger brothers and sisters.

They are very frustrated and angry, but do not know how to handle these feelings.

But girls tend to slip through the cracks of the social service and judicial systems. They tend to direct their anger inward, toward themselves, and become self-destructive.

Their crimes are usually less violent, less frequent, and less threatening to society than those committed by boys.

While girls may run away from home, shoplift, or get into fights, their behavior is generally not violent enough to get the same level of negative attention that boys get.

Many of the girls in our Youth Residential Program have never had any structure, consistent discipline, or nurturing in their families.

Once they have spent time at YRP, they come to appreciate the stable and structured environment we provide. Some do not want to leave. When they must move on to a foster home, many return to dysfunctional families. They continue to run away.

The YWCA offers safety, shelter and support. However, our program focuses on short-term improvements. The staff does not have enough time to assist most of the girls in making positive changes in their life that will be effective on a long-term basis.

In those cases when girls have stayed with us 3 months or more, we have really seen a difference in their behavior. Many stay in touch with us long after they leave.

Based on our experience, we recommend that the programs designed to address youth violence be adaptable, because different kids have different needs; focus on resolving underlying family problems such as incest and substance abuse; provide long-term support and encouragement so that kids have enough time to make positive, long-lasting changes in their lives; involve youth in the planning process.

And I would like to say, additionally, that there is no one way to deal with the violent behavior that we are seeing in our communities.

I have taken it upon myself, just as a citizen, to move in a drug-infested neighborhood, and made up my mind that I would walk the streets in the evening when I get off of work, to find out exactly what was going on.

Because it bothers me to see some of my friends' children, some of the kids that I see that are really good kids, that are turning bad. And what I found out is that they respect me, highly. I walk the street 2 or 3 o'clock in the morning. My dog got lost.

I did get very emotional because a friend of mine who ended up being homeless was beaten real bad the other night, and I could not envision in my mind why somebody would beat somebody who was so harmless.

And I talked to kids, and what I found out, that if we do not start dealing with the parents, we can sit here all day and talk about the problem.

The problem starts inside the home. And many of the parents need support themselves, and do not know how to guide their children because they have never been taught.

But what I found is that—I spend about 1½ hours on this corner, in the store on a corner that has a lot of drug dealings going on, and I see all of it happening.

And I play Pac-Man with a lot of young men. And I have bonded with them. And I have managed to get four of those guys to go back to school. I have got two of the young women to return to school, and the only thing I did was talk to them; nothing unusual, nothing that was grand.

But to spend time finding out what made them tick, and why they were not going to school.

I myself was a high school dropout. I myself married one of the biggest gang leaders in Delaware during the Week administration. And now he is one of the biggest, best businessmen in this city, in this State.

So I have some firsthand experience on what happens to people, why you drop out of school. I hear people talk about why kids drop out of school but most people do not have a clue.

I dropped out of school simply because when I moved to Delaware from the Chichester School District, the Delaware school system was 4 years behind, and everybody kept telling me how great and how smart I was.

But the school system was so far behind, that it was not a challenge to me. And I got tired of repeating myself every year.

And my mother did everything. I come from a very good—I was raised by a single mother with five children, but she is my best friend. She is deceased now, and she is my role model.

And I just was not being challenged. Also, there was peer pressure. But I found that when I did drop out of school, it did not hit me until I became an adult, that this was not the thing to do.

And I also was encountered with a lot of racism in school. I was always put in the top classes, but most of my peers were on the last three classes. So I would pretend I could not do, because the teachers really would not pay attention to me when I raised my hand in school. They always ignored me.

And I found that when I went down to the lower classes, that the teacher did not expect that much from me, and they did not expect that much from my peers.

So when I learned that after many years, that that was damaging to myself, and I did go back and I was a dropout, and I was a lot of things—but many kids do not go to school because it is not challenging.

When you go to school, every child does not learn the same. A lot of kids get bored. I was extremely bored in school. And you find yourself thinking about everything but academics.

Many of the teachers do not understand the difference in cultures. So if I cannot sit there like Alice, who comes from a different household, and talks different and acts different, and I have to be—I am penalized because I am not acting like Alice, or I do not articulate like Alice—kids—until we get in this country that people are different and it is OK, because that is how we learn from each other—until we get sophisticated enough that we have schools that can deal with the very bright child as well as the child who has some learning problems, we will be doing a lot better.

But we expect for everybody to act, look, and think the same, and that is why we are in such a mess. Because everybody does not act like that and everybody does not think like that.

And I think I have done quite well, to be a lot of those negative things, when I started out. I think that when I talk to the guys on the corner, many of them do not even eat at night. Some of these kids do not have food to eat. And so when they go and they sit at a table with a kid who is coming out of a two-parent family, or a child who is coming out of a household where there is breakfast in the morning, there is communication—many of these kids do not even talk to their parents.

Parents do not even know how to talk to the kids. I was asked to lead a group discussion, and what I found out, I went to this home one night, about 9 o'clock, I was cold, and when I got there kids were running all over the place, and adults was there, and I was like, Did someone ask me to come and speak to them? And they said yes.

And the first thing the parents said to me was that there was discrimination in the schools and their kids wasn't learning anything. And I said I hope that you will not get offended by what I am getting ready to say, but how do you expect for the teachers to control your kids and you told the same kids 10 times to settle down, and they are still doing everything that they are not supposed to do?

The parents looked at me and said we told you not to ask her because she things she—whatever, whatever.

Anyway, to make a long story short, I ended up—and what I found out is that the parents could not work with the kids because they were illiterates.

I developed a program with Del Tech, and some tutors, and I had some friends of mine come to the school, and my former husband, to work with these parents.

And what we found out, they were embarrassed for Jimmy to come home and say, "Mommy, help me with a paper." So instead of helping with the paper, they would pretend that they were getting on their nerves, and they would say, "I do not have time to deal with that right now," simply because they could not read.

And so what we found out, because they were illiterate, it brought on all kinds of behaviors. And what we designed as a program to not only help them, but for them not to work with their children, to work with other people's children, because you had more patience with other people's children. And it ended up being a good program.

So I would just like to say that I hope that you continue these forums, but in some of these forums you have some of these parents we are talking about, some of these kids that we are talking about, and one thing my daughter said to me: The only time you are recognized is when you are either the very bright or you are the kid that is in trouble.

The kid that tries to do right never gets any attention, and nobody ever asked anything about doing anything.

So I think we need to be a little different in the 1990's and start involving all the youth, and I think in order for us to make a difference with our kids that are violent, we are going to have to start touching these kids, because they feel, they are in a lot of pain, and that they should be the kids sitting here with you today, telling you some of how they feel.

And that is how the difference is going to come about, and I thank you.

[The statement of Ms. Hinson follows:]

## Prepared Statement of Marian Hinson

Good morning. My name is Marian Hinson, and I'm the Housing Director at the YWCA of New Castle County. Today, I'm representing our Executive Director, Ruth Sokolowski, who could not be here.

Our mission at the YWCA is to help women and girls achieve their full potential, and to eliminate racism. We have worked with juvenile adolescent female offenders since the late 1970's. At that time, we worked with adjudicated females through our Independent Living program. Currently, we operate a "Youth Residential Program." YRP is the only supervised detention facility for teen girls in the state of Delaware. Since it began in 1990, we have served over 200 girls ranging in age from 11 to 19 years.

The girls at YRP have needs that are different—but just as important—as those of boys. Many of the girls we see come from dysfunctional families. They have been sexually abused. They have dealt with substance abuse problems among their parents, and may have developed problems themselves. Though they are still children themselves, many are responsible for raising younger brothers and sisters. They are very susceptible to pressure from their peers, and have few constructive outlets for their energy and aggression. They are frustrated and angry, and don't know how to handle these feelings.

But girls tend to slip through the cracks of the social service and judicial systems. They tend to direct their anger inward, toward themselves, and become self-destructive. Their crimes are usually less violent, less frequent, and less threatening to society than those committed by boys. While girls may run away from home, shoplift, or get into fights, their behavior is generally not violent enough to get the same level of negative attention that boys do.

Many of the girls in our Youth Residential Program have never had any structure, consistent discipline, or nurturing in their lives. Once they have spent time at YRP, they come to appreciate the stable and structured environment we provide. Some don't want to leave. Whey they must move on to a foster home, return to dysfunctional families, etc., they may even run away.

The YWCA offers safety, shelter and support. However our program focuses on short-term improvements. The staff don't have enough time to assist most of the girls in making positive changes in their life that will be effective on a long term basis. In those cases when girls have stayed with us three months or more, we have really seen a difference in their behavior. Many stay in touch with us long after they leave.

Based on our experience, we recommend that the programs designed to address youth violence: be adaptable, because different kids have different needs; focus on resolving underlying family problems, such as incest and substance abuse; provide long-term support and encouragement so that kids have enough time to make positive, long-lasting changes in their lives; involve youth in the planning process.

Senator BIDEN. Thank you very much for your testimony. Mr. Guy Molock was here. He had to leave.

I also want to, before I forget, to recognize some people in the audience that are here.

Tyrone Jones who runs Project State Free is here, and has been here since 8:30 this morning. I want to thank him for being here.

And Nancy Nelson, Director of the Chesapeake Girl Scout organization is here and has been sitting through this. Now you all know why my colleagues, when I chair committees, do not like to sit there, because I never break for lunch, and you all are probably, and the poor reporter here, maybe need to break.

And Brian MacLynch who is representing Mayor Sills' office has been here throughout. And Karen Johnson is here. And I thank you for attending as well, Karen.

And I know there are others of you in the audience who have been here for a long time, and are involved in various organizations.

Let me say before I finish up with this panel, and the few questions I have for them, if any of you who are here as public citizens or citizens representing yourself or other organizations would like to submit any testimony to the committee, I would invite you to do that.

I will keep the record open for a couple weeks, so that if in fact you do have any comments you would like to make, we would be happy to hear them.

And if you would be kind enough, if you are interested, to approach Clare De Matteis, who is a lawyer with my office, who is heading this up here in Wilmington—if you would give her your name, and we would invite any written testimony you might have.

I wish we had more time. We had a prospective list of about 60 people we would have liked to have invited to testify. This will not be the only hearing we will be holding on this subject.

But with that, let me proceed to a few questions, if I may.

Gloria, if the Juvenile Justice Act is not reauthorized, or does not receive any appropriations because Mark had mentioned what some of my colleagues on the House side were attempting to do to other things, there is a prospect that there will be no authorization, no appropriations for it.

Assume there is no more money that comes through the act to Delaware. What will happen to the various programs that you referenced today?

Will the State pick up where the Federal Government left off on all these? Do you have a sense of what will happen?

Ms. FINE. I am afraid that we do not have enough money in the State to do that.

Senator BIDEN. We have a surplus in the State. I mean, the Federal Government has a great deficit. You have all——

Ms. FINE. Well, but I think what the mood is, is that "lock them up and throw away the key." There is also an attempt, as you heard earlier, to process these delinquents in the adult court, in the Superior Court.

Senator BIDEN. Thirteen- and fourteen-year, fifteen-year-olds.

Ms. FINE. Yes. I do not think that is the answer. So I am fearful——

Senator BIDEN. Well, you and I may be the only two people in America who do not. When Carole Moseley-Braun, the only African American woman to serve in the United States Senate introduced a piece of legislation to try in Federal court all children over the age of 12 for certain crimes, there were only about nine of us who voted no. I felt I was in a twilight zone. But maybe I am out of touch, maybe you are out of touch, but I happen to share your view.

One of the reasons I asked the question is to state the obvious. As you well know, Governors of all States, and both parties, State legislatures from all States and both parties, always pass two resolutions when they come to Washington, for the National Governors' Conference or the National Conference of State Legislators.

Their first one is Federal Government, balance your budget, and the second one is Federal Government, send us more money.

And I find it somewhat interesting that the States are telling me how important all these programs are, and some States, including ours, have a surplus, and the fight in Delaware is how big a tax break to give, which I am delighted, I like a tax break, I think that is a great thing—and the Federal Government has this gigantic deficit, and they are telling me, why do not I be the big spender and send more money home, while everyone at home can claim they are cutting taxes and Biden is raising taxes.

But they are all saying that we are providing for all these programs that are needed.

I might note that all the monies in the crime bill, which is different than the Juvenile Justice Act, all the monies in the crime bill, not one single penny is new taxes.

We fired 272,000 bureaucrats, took their paychecks and put them into a trust fund. That is real, that is not make-believe. It is like the highway trust fund. There is $4 billion in the trust fund this year, that without one additional cent in taxes, to go to pay for this.

But I do worry that if these programs, which is not the Federal Government's responsibility to be the prime mover of, were to cease and desist, that we may not find them picked up by even the ones that everybody hails as working, even the ones that everybody says are first rate.

I think we had a pretty dispositive panel here today. As I said time and again, both political parties—conservative, liberal, prosecutors, public defenders. And there seems to be some significant unanimity on the need for some of the initiatives which you all are involved with.

But I certainly hope we can provide the wherewithal to allow them to continue, and that is why I asked the question, what happens if it were to be eliminated.

I would like to go back and pursue one of the things that I have observed—and I am not being solicitous when I say this.

When I look around the community, I see public-spirited folks like you all here, and you all are doing things that are professional as well as just simple public service.

But there are five or six sort of one-person bands in this State. You know, that are purely nonprofits, or religious organizations.

You have guys like, you know, Father Robert Balticelli at St. Anthony's. I mean, God, he has built a whole city, just about, good stuff. You have got guys like Reverend Hare. You have run everything from a school, day care programs, youth services programs, community service project, nursing home visits, food service projects for the poor and needy, a television studio.

I mean, I look at some of the folks in this community. It seems to me there has got to be a better way to coordinate the nonprofit religious-based organizations here.

And one of the things I have built into this legislation was for the first time ever, I think, the ability for these nonprofit religious organizations to qualify for the moneys that are going to be coming into the State.

What would you do, Reverend Hare, what would you suggest, if there is any single thing, that could accommodate more cooperation?

Cooperation may be the wrong word. More exposure for, more involvement of the churches and the synagogues in the kinds of programs that we have talked with you about, that you have heard talked about today.

I mean, is there anything that the State, local, Federal Government can be doing to encourage that, other than making it—allowing religious-based organizations to qualify? Is there something else we should be doing or is there enough there for you all to get it going?

Reverend HARE. I tend to think that more public awareness, and I qualify that by saying this meeting here today, which is a fabulous thing, as you have so wonderfully done; but I think we need a meeting like this for religious leaders, and those like the Father Balticellis, and the synagogues, and so forth, to come together and say what they are doing now, the problems that they are coming against now.

And let me just add this, and I believe I am correct in quoting this.

I believe it was Dr. Billy Graham who said in one of his sermons, that one of the biggest hours of discrimination in this country, ironically, and sadly, is the Sunday morning church hour, where there are just only certain groups of people, only just white people, and black people, and that is not an issue. People can worship where they want.

But we have got some walls that are up, and some walls need to come down. And we need to come in a room like this, of all different faiths and cultural backgrounds. Everybody worships God in their own way, and that is wonderful and fine.

But we all have a common ground, and that is, we have kids doing things they should not be doing. And we have too much at risk to let these walls remain up.

Senator BIDEN. One of the things that we did, in earnest, and maybe, you know, I will just ask this in terms of a question.

The way we wrote the crime bill, the crime law, I keep calling a bill, it took so long to get it passed, I cannot get over it has passed. [Laughter.]

Senator BIDEN. The crime law—was that the funding for the police side of it, the community policing, kicked in the first year.

That was the thing that kicked in the first year. We have already now put on the street about 19,000 additional cops, nationwide. When old Charlton Heston in his ad said there would not be 20 out of the whole bill. You know, we have already done that. Before this fiscal year is over, we will be well over 20,000 police, toward the 100,000.

But beginning in this next fiscal year, why this hearing to my colleagues is so important, and we are going to be holding similar hearings around the country, it is only now the prevention side is kicking in, because of the way the fiscal year works, and when we pass the legislation first.

What we did with the cops program is my staff set up meetings, and before we end, those of you who are here, I am going to introduce you to the staff.

We set up meetings with every local police organization in the State. Every local State legislator. Every local councilperson and every mayor.

And we held workshops, six of them that were formal, but there were a lot more informal. In Dover, you went to Dover, you went to Wilmington, you went to Harrington.

And what we did is we sat with these people who are accustomed to dealing with Federal programs, and we said, Look, here is how you go about this. Here is what it is.

We did the same thing with all the women's groups and the prevention groups as it related to Violence Against Women.

We had several meetings where several hundred people—let me have a copy of that book—and we put together a book called "The Violent Control and Law Enforcement Act, and How to Make the Crime Bill Work for Delaware."

And what we did in this intro—and I am going to make sure we get you copies of this—we laid out, of all the crime bill legislation—one of the things that amazed me is how little people know about the detail of the crime bill, how much was there. And we have a list of all the programs for police, for prisons, for judges, for public defenders, for mayors and county officials. Programs run by nonprofits targeted to violence against women. Programs for rural and small towns. Programs for victim services providers.

Programs for schools, and crime bill funding for Delaware.

What we have not done yet, and this is my question—Would it make sense, Reverend, for me to get—I would not be able to do them all myself—but to put together a half a dozen of these meetings up and down the State for nonprofit religious-based organizations and let them know how they can qualify under this legislation, what is available to them?

I know we have done that with you because I sought you out. I asked for your help in this. But would it be sensible to try to bring together your colleagues in a room like this, around the State, to talk about the details, how you qualify for these things?

Reverend HARE. Absolutely, and I think you might be surprised at the number of clergy and people who are not aware of these wonderful opportunities that you are affording through this bill.

Senator BIDEN. Well, I think what we will do is, we will get underway with that, and I see two of the clergy are still here. Maybe we can get that whole thing going, because none of the money has been distributed yet.

None of the money has come out, so no one is behind the curve here, and as I said, we are talking about almost $4 million, unless my Republican colleagues in the House do away with this, that Delaware will get next year.

I know I told everyone last year that Delaware is going to get over $10 million in this crime bill. They kind of looked at me like—but they did. It happened.

Now this part is kicking in, and I think that might be a useful thing for us, the purpose being here, the purpose which is to make sure we do not waste the money, and to make sure that we have the widest dissemination of it in terms of impacting on the most kids.

And I think—and I want to make it clear—we have done that a little bit already as Ms. Hinson knows and Ms. Fine knows. Ms. Fine knows that with other nonprofits, as particularly you have worked with us on the Violence Against Women piece and other things, and maybe we should do the same thing here on a broader base, to see how these after-school programs, all of these other programs that are able to be used.

Because it seems to me that we have to advocate a more neighborhood focused network of these programs. We have got to get people involved in it to make it work.

Ms. FINE. Senator, you might want to contact the National Conference of Christians and Jews in Delaware.

Senator BIDEN. Yes.

Ms. FINE. The Delaware chapter.

Senator BIDEN. Yes. That is a great idea.

We have already spoken with a classmate of mine. Evelyn. We have already spoken with Evelyn about it.

But what we have not done, and I guess it is a—I will not say it is a shortcoming. We still have time. But to be honest with you, I hadn't thought with as much specificity about how to put together a workshop to let people know exactly what was out there.

We have done it, as I said, with the Violence Against Women moneys, and we have done it with the police money, but not with the remainder of this prevention money.

And I hope one message has sort of become clear here today. And I really am sorry, although he has been very supportive of, I have to admit it, I have to acknowledge it—is Senator Hatch was going to be here today, a conservative Republican, who is now chairman of this committee.

And he was going to be here today. He is strongly supporting the continuation against the overwhelming view of his party on the House side, of the vast majority of this prevention money.

You can be most helpful to me—not to me. You can be most helpful, I think, by those programs which the crime bill and other indirect, not directly crime bill, but legislation we have written, whether it is juvenile justice or it is the Burn grant monies which the police talked about earlier today, to let us know what does not work, as well as what does work.

Because I really think we have got to demonstrate to the taxpayers that we are not wasting their money. That what we are doing has a reasonable chance of providing the outcome we say we are seeking.

And it would be very helpful to me, as we go through this, to know what does not work as well as what does work.

I might state that one of the reasons, when we had this thing going, we had a young woman who was helping us put together this crime legislation, her name was Tammy Fine. Where is she now? She became a big TV executive or something. Where is she, in New York?

Ms. FINE. She is Tom Brokaw's researcher.

Senator BIDEN. See, that is what I am worried about. Look, she is gone; she went over to the other team. I am only joking about the other team. But one of the things that we have had the benefit of was an awful lot of Delaware input in drafting this legislation, which is now law.

Ms. FINE. I told her about this, and I thought maybe Tom would come today. [Laughter.]

Senator BIDEN. Well, you know, Tom Brokaw, when we were doing the crime bill, covered a big piece of this. It was very helpful.

You wanted to make a statement, Marion?

Ms. HINSON. Yes. There are two things that I forgot to mention.

One thing I think we all need to look at is the violence that is on TV. It is incredible. The times of day that this stuff comes on. Not only violence, but sexual behavior. We have kids in the shelter who are acting out, and what we did—we could not figure out—something happened between a 4-year-old and a 3-year-old, and the mother constantly said, you know, the child had not seen any of this around her.

And what we found is that when we had turned off the TV, for the parents to go to workshop, the babysitter had left—the babysitters, because we have to have three to four babysitters there for the children—have gone in the back and two kids came back in and turned on the TV.

And what they had seen was some sexual behavior going on. So the little boy and the little girl were acting it out, and when people say that TV has nothing significant to do with children's behavior, I mean, that is just crazy.

The other thing I want to say is that particularly with—I am very interested in the inner-city kids, and kids need a place to congregate.

And I agree with someone who had mentioned that the schools need to be open later. Kids congregate on a corner, particularly black kids. I congregated on a corner when I was coming up. That was where we met, because many of us did not come from homes where we had a den or we had a lounge, or we had a place where we could congregate. So we met on the corners.

Not to start trouble, not to interfere with anybody; but that was our meeting point. And kids in the city now I see getting arrested, at an alarming stage, for just standing on a corner. I called in 35 complaints to the police department where the police really caused the behavior that was coming from the kids.

And many of the kids will make it out of school. The first thing they do is go on 30th Street, and that is where they hang out. I mean, they are there in their cars. There is no place for them to go.

I mean, there is no place in the city for kids to go after they get out of school. There is no place for them to go once the community centers close up in the evening. There is nothing for them to do.

So they congregate. But they are being abused because they do not congregate in someone's home. So I wanted, you know, that all to be looked upon, and I think that you will hear some of the kids speaking out about the same things.

Senator BIDEN. Well, as I said, the way this legislation is written is to give as much flexibility to local officials as it can possibly give and to allow them to find alternatives for that.

I know we have already been talking with Reverend Hare about facilities and ability of people to congregate, that he already has underway.

I am sure it is the same with a number of the black churches, could make places available.

One of the things that we have to do is—there is not a need to reinvent the wheel on a lot of this stuff.

I will conclude by using a phrase my dear old mother has used, and God bless her, she is alive and well and 5 blocks from here, or 15 blocks. She lives in Faulkland.

She would always say two things about hanging on the corner. I am from Claymont, Brookview Apartments.

That you would say, "Well, I am going to go down to the corner." Everybody used to hang out by the Claymont Fire Hall, or up by Buffington's. And everybody would hang there. And I would say, "Why cannot I go up there?"

She said, "Well, those guys are going to get in trouble." I said, "I am not going to do that, Mom. I am not going to do that."

She said, "Honey, you know, walks like a duck, and it quacks like a duck, and it looks like a duck. It is a duck." [Laughter.]

And I said what the hell does that have to do with me going up on the corner? But dear old mom was right.

And the second thing she used to always use, which I am sure in every religion there is a different way of saying it, and maybe it is the same one. She would always look, and she would say, "Joey, an idle mind is the devil's workshop."

And an idle mind for a teenage kid is not a place you want to be. You want to fill it. You want to fill the vacuum.

And again, I know these are like old wives' tales and sayings, but they hung around for three or four thousand years because there is a truth to them.

So we do not have to reinvent the wheel on a lot of this. It is one thing to deal with the kids who walk around with these kinds of weapons. They are a minority, and I think we all agree, and everyone has said, there are certain kids, if you catch them too late, it is awful hard to do anything other than but take them off the street, and pray you can figure out a way to deal with them. But keep them off the street. There are a lot of things we can do to keep them from this stage.

But it is a lot harder. It is a lot harder, I do not have to tell any of you. It is a lot harder to raise a kid today; a lot harder to raise a kid today. Not an excuse; not an excuse. But it is a lot harder.

I will conclude with a story. I was holding a hearing up at a high school in Newark, NJ, and the mayor of Newark, NJ, is a black man who is one of the most impressive guys I have ever been along, along with the Senator from New Jersey, Frank Lautenberg.

And we went into one of the high schools there. Big high school. I mean, big high school. And an old high school. Remember the old auditorium at Howard High? You know what that looked like? Well, it was just about three times as big as that.

And it was packed. And kids were asking us questions. The student body was there. And there were about 2,000 kids. I would say 70 percent black, 20 percent Hispanic, and 10 percent white.

And these kids were asking questions. One kid asked me a question about, Well, you know, it is a lot harder in our day than in your day, you know, and I am saying, Well, yeah, it is.

This black mayor stands up and says, "Whoa, whoa, wait a minute. What do you mean a lot harder? I was raised 14 blocks from here. I was one of 13 kids. My mother was on welfare. Do not tell me about "hard". I do not want to hear any of that stuff. I am sick and tired of all you making excuses."

And he went on and talked to these kids, and I thought there would be revolt. He got a standing ovation. He got a standing ovation from them.

Because I think the thing that you said, Marion, is correct. If you look at the survey done by the Rand Corporation in Watts, a 78 percent dropout rate. They asked the kids who dropped out what was the main reason they dropped out, and over 65 percent of them, four years later said because they were not challenged in school. Because of the expectation that, well, we do not expect much from you.

And so I think people like me have to change our expectations a little bit, too, and hopefully, by allowing you all, locally, to have even more flexibility in some of the resources. We can avoid some of the pitfalls of Big Brother in Washington telling you what is right, and yet the other side of it, which the other team talks about, is Big Brother in Washington has no responsibility for anything, we are just going to wash our hands and walk away.

I want to see you get the resources, I want to see that you use them well, I want to see that it is broadly disseminated in the community without dissipating its effect, as I can do it, and this is a helpful forum for us.

I would like to invite you—I can assure you, you will all be invited again in the next six months as we move through this process, for further input.

And if I may, I may send you each some followup questions several months down the road as these programs alter and change. Any suggestions you have, I would be happy to hear them.

Again, thank you very much for your patience. We have run a full 40 minutes over what our time was expected to be.

I question your judgment, but I do not question your physical constitutions to sit here this long, straight through. I am flattered you would take the time, and we are, to the dismay of the stenographer—I was going to introduce the staff.

As a matter of fact, I am going to ask Clare to introduce the staff.

Let me introduce Clare DeMatteis first. Clare has come with us as a professional lawyer on the Judiciary Committee staff, and we have a man who just left today to become the regional director of the Environmental Protection Agency for Region III, Mike McCabe, and Clare has been kind enough to take over Mike's job, which is taking care of all projects and all legislation affecting the State of Delaware.

And why do not you introduce the staff, Clare?

Ms. DEMATTEIS. Thanks, Senator Biden. This is Chris Butell, he is in charge of the Crime and Drug Unit for the Senate Judiciary Committee.

Senator BIDEN. And I might add, Chris has a serious drawback. Chris got his graduate degree from the Kennedy School of Public Policy. I once insulted him by complimenting him on the crime bill and saying what a fine lawyer he was. My son immediately called me to say, Dad, he is insulted, he is not a lawyer. He is, in large part, responsible for the detail in the crime bill.

Ms. DEMATTEIS. And Tracy Dougherty who has been with the Judiciary Committee, and Senator Biden's personal staff for five and a half years. She knows every detail of that crime bill.

Senator BIDEN. And I might point out—how many kids? One of 13? One of 13 children, came to me as a young college graduate, as an assistant secretary, decided she wanted to go on to law school, went to Georgetown Law School at night, graduated at the top of her class, and has been working with the Judiciary Committee.

Ms. DEMATTEIS. And finally, Mimi Murphy, who has been with the Judiciary Committee for about a year and a half, and she does everything. She is a legislative assistant. She does a great job. Todd Turner is with——

Senator BIDEN. Todd is the young man standing out there. Todd, come in here. Todd is wondering why I am calling him. This is Todd Turner of the Wilmington staff. Todd is a graduate of the F.A.M.E. program by the way as well. Guy Molock runs that program and Todd is one of the successful graduates, and has been working with us.

He is a former military man who has come on and made this Wilmington operation run a little more shipshape. Right, Todd?

Mr. TURNER. Thank you, sir. [Laughter.]

Ms. DEMATTEIS. And last but not least, Suzanne Smith is in the back. She is press assistant. She came up from Washington today so she could see what this is all about. It has been quite an education for her.

Senator BIDEN. So this is the staff that is on-hand here. We also have, as many of you have met, I know, Reverend Hare, and Gloria, and a number of you have in different incarnations, met Cynthia Hogan who is our chief of staff for the Judiciary Committee. We have a group, a half a dozen truly first-rate lawyers, who I might add for the record, everyone thinks these young people take these jobs because they are well-paying. The average pay cut the lawyers on my Judiciary staff took was $61,000 a year. They took pay cuts to come and take these jobs. These are first-rate lawyers, that are real serious professionals, that you have working for you.

And it is very parochial, but I am very proud of their talent and their caliber, and their dedication, and they are available, on call, here in Delaware, as many as in this room can testify to. But mainly, we need your input.

We need your input as to how something that we put together, that we think is working, could work better, or as some of you have not been reluctant to tell me, "Joe, that is a bunch of malarkey, do not do it that way, you are wasting time, you are wasting money," and I think it is fair to say we have responded.

But this is an official Judiciary Committee hearing. I am not merely here in my capacity as the junior Senator from the State of Delaware. This will be made a part of the record, and this is one of the issues that we will be having to grapple with.

One of the reasons why I think we have a chance of saving this solid legislation from the ax is because other members of the committee, Republican, Senator Specter from Pennsylvania, Republican Senator, chairman of the Committee from Utah, and others, who have attended similar hearings with me like this, have become strong supporters. And again, we just want to make—we do not want to reinvent the wheel, but we want to make sure the money we spend of the taxpayers is well spent, and youth violence is a serious problem, but if we do not address it as a community—and I do not think you can address it through the crime bill.

The crime bill, as my Grandfather Finnegan would say, is "not the horse to carry the sleigh." It cannot carry the whole sleigh. It is just one small piece of it.

But I want to make sure I get my piece right in this process.

So again, thank you all very much. We are adjourned.

[Whereupon, at 1:56 p.m., the committee adjourned, subject to call of the chair.]

# APPENDIX

## Additional Submissions for the Record, July 17, 1995, Hearing

### The First Fourteen Months: Planting of a Seed

*Prepared by Tyrone J. Jones, Director for the Project Stay Free Consortium and State Division of Youth Rehabilitative Services, April 5, 1995*

The first fourteen months operation, Project Stay Free served a total of 169 youth by providing a combination of reintegration services for youth released from institutional placement; diversionary services for youth in jeopardy of violating conditions of probation or aftercare; in home detention services for youth who could be better served in the community; and tracking services for DYRS clients.

During this period, Project Stay Free was contracted to provide four core services:

1) Community Reintegration
2) In-Home Detention
3) Diversionary
4) Probation and Aftercare Assistance

Below is a complete description and summary of each service.

**COMMUNITY REINTEGRATION (Maximum Capacity 30)**

The Community Reintegration Program emphasizes the coordination of early reintegration activities and service preceding release from secure care, and intensive mentoring in the community with emphasis on gradual re-entry and the development of social skills to avoid criminal behavior.

The project provided 90 days of intensive community interaction with the youth and their families, by providing the critical elements of case management, family therapy, expertise in career preparation and culturally appropriate intervention.

The program is divided into two phases:

1. Institutional Phase: Provides 30 days of reintegration activities that focus on preparing students and their families for release from the institution;

2. Community Phase: Provides a minimum of 60 days of intensive supervision and case management of services, at the community level.

Project Stay Free implemented a program structure that require those youth, referred by Ferris School Case Management Staff, to participate in at least 30 days of programs and activities sponsored by the Project Stay Free Consortium, that include:

- Daily African Rites of Passage, sponsored by People Settlement Association at Ferris School; and at one of the local Community Centers.

- Weekly Computer Based Learning at Edgemoor Community Center.

- Weekly Career Awareness at West End Neighborhood House, Inc.

- Attend the Project Aware Program at the Delaware Correctional Center prior to being released from the institution.

## SUMMARY

Since May 1991, Project Stay Free provided re-integration service for a total of 77 youth (unduplicated) prior to their release from Ferris School. Realizing that the 90 day period was not enough time to provide a quality service, Project Stay Free extended another period of intensive supervision for many cases from a minimum of three (3) months to 9 months after release.

While some contact with the system cannot be avoided in every instance for many youth, penetration into the system can be minimal. With the extended period of service, Project Stay Free has been very effective at diverting the youth from arrest or further formal court processing.

Upon release each youth is required to attend a minimum of three (3) group counseling sessions with PSF; and abide by a curfew intake by the parent.

## OUTCOMES:

- Served a total of 77 youth (unduplicated) prior to their release from Ferris School.
- Forty-nine (49) youth are still in the community, twenty-nine (29) of which have been in the community for a period of six months or more.

**Perhaps even more significant:**

- Thirty-one (31) of the 49 youth were successfully discharged from project, with no major violations or incidents.
- Fourteen students (29%) have been in the community for over 12 months.
- Eight students (16%) have been in the community for 9 months or more.
- Seven students (14%) are in the community for 6 months or more.
- Twenty students (25%) are in the community for 3 months or less.

As a result of the community's desire to offer effective services to DYRS clients, the State supported the Consortium expansion of service to provide diversionary services to youth having difficulty adjusting in the community; in home detention services for youth in the custody or under the supervision of the Division; and probation and aftercare assistance to DYRS Case Managers.

## DIVISIONARY PROGRAM (Maximum 15)

The Divisionary Program was designed as an extension of the reintegration services. The focus of the program is to serve youth on probation or aftercare who are having difficulty adjusting at home, in school or in the community.

Project Stay Free has encouraged the Division to utilize the Community Phase of the project to divert youth from incarceration, and has increased the number of slots available from 5 to 15.

## OUTCOME

- Implemented in August, 1991, fifteen (15) youth have been served - nine (9) are still in the community; five (5) have been placed in other institutions (i.e. Glen Mills and Ferris School); one (1) whereabouts unknown.

Characteristics of Youth in Diversionary

| CHARACTERISTICS | | # OF YOUTH | PERCENT |
|---|---|---|---|
| **Age**: | | | |
| | 13-15 years old | 5 | 33% |
| | 16-17 years old | 8 | 53% |
| | 18 and older | 2 | 13% |
| **Race**: | | | |
| | Black | 11 | 73% |
| | White | 1 | 6% |
| | Hispanic | 3 | 20% |

## IN-HOME DETENTION PROGRAM

The In-Home Detention Program is a non-secure detention alternative for youth who require supervision and support to remain at home and meet all court ordered conditions of release such as scheduled appointments or court appearances. Youth accepted in the program are required to comply with all program conditions and supervised by Project Stay Free Staff. The objective is to provide the youth with the necessary services to impact the judicial decision made during the adjudicatory and/or dispositional proceeding to divert the youth from incarceration.

During the period of supervision, and prior to formal case disposition, Project Stay Free develops a community service plan agreement to maintain the youth in the home. The plan is based on an individualized assessment and identifies a combination of State and community resources to address his/her needs. At initial court intake, PSF meets with the youth and family to determine if they are amenable to the conditions of the Project.

## SUMMARY

Since February 1992, seventeen (17) youth have been referred to the in-home detention program. Through a cooperative agreement between the Family Court and the DYRS, a court scheduling for youth on home detention was expedited, referred to Project Stay Free for services.

## OUTCOME: (Case Disposition)

- Eleven (11) youth were placed on probation or continued aftercare; one youth received a seven day commitment to Ferris School; four youth were securely detained for violating Court ordered conditions and program conditions; and one youth found non-amenable.

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Table provides a demographic profile of the youth served:

| Characteristics | | Total # Youth |
|---|---|---|
| **Age**: | | |
| | Under 12 | 0 |
| | 13 - 14 years | 3 |
| | 15 - 16 years | 7 |
| | 17 - 18 years | 7 |
| **Race**: | Black | 14 |
| | Hispanic | 1 |
| | White | 2 |
| **Sex**: | Female | 1 |
| | Male | 16 |

| **Most Serious Charge** (at time of arrest): | **Total #** |
|---|---|
| Assault I | 2 |
| Assault III | 1 |
| Carrying of Concealed Deadly Weapon | 1 |
| Offensive Touching | 1 |
| Theft (M & F) | 1 |
| Drug Related: | |
| Trafficking Cocaine | 2 |
| Possession with Intent to Del. | 1 |
| Possession of Cocaine | 1 |
| Robbery I | 1 |
| Burglary II and III | 1 |
| Receiving Stolen Property | 1 |
| Trespassing II | 1 |
| Criminal Mischief | 1 |
| Driving without License | 1 |
| Criminal Contempt | 1 |

**PROBATION/AFTERCARE ASSISTANCE (Tracking)**

The Probation/Aftercare Assistance Program consists of three vital tracking services that would ensure that each youth referred: (1) abided by the conditions of his/her probation or aftercare; and (2) received the full compliment of services offered by the Department and Community. The overall goal of the program is to reduce the number of technical violations or arrest that would result in incarceration.

**Upon request from the Division, Project Stay Free staff performed the following task(s):**

1. **Surveillance** consists primarily of contacts with assigned youth that included visiting schools to ensure attendance, visiting work sites and making curfew check by telephone and in person.

2. **Monitoring** youth activities at home and in the community that included the overseeing of community service placements and the collection of restitution. In addition, assist in providing immediate sanctions, such as implementing an at home restriction program for those youth committing technical violation of their Probation/aftercare.

3. **Transportation Assistance** provided to those youth and families who do not have access to appropriate transportation in order to keep their scheduled appointments for referral services.

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## SUMMARY

Implemented in January 1992, Project Stay Free provided tracking services to sixty (60) DYRS Clients. The following table represents a breakdown of the type of service(s) requested during the first six month period.

**Request for Service**

| TYPE OF SERVICE | # OF REQUEST |
|---|---|
| Transportation | 36 Youth |
| Combination os Surveillance and Monitoring | 17 Youth |
| Surveillance | 4 Youth |
| Combination of Tran and Monitoring | 3 Youth |
| TOTAL: | 60 Youth |

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**A Report**
**to the Mayor**

# MAYOR'S ADVISORY TASK FORCE ON YOUTH AND VIOLENCE

## TASK FORCE MEMBERS

Tyrone J. Jones, Chairperson
Carolyn Anderson
Raye Jones-Avery
Karen A. Cameroon
Kenny Cooper
Cherly M. Davis
Mark A. Dendy
Michael Graves
James Kane
Maria Madera
Tamarra F. Morris
Reverend Aretha Morton
Rashid Ali Mustafa
Lt. James Nolan
Gerald Oravitz
Joseph Perkins
Victor Reyes
Muhammad A. Salaam

## IN THEIR OWN WORDS

The Mayor's Advisory Task Force on Youth and Violence solicited the input and advice from the city's youth. Requesting that they provide us with a perspective **IN THEIR OWN WORDS.** Below is a summary of how they described their living situations, their hopes and fears for themselves, families and community, and overall feeling about the environment of the city and world around them.

**The Task Force would like to thank all those youth for providing us with their input in developing the report recommendations.**

In the final report, the Task Force recommends the city sponsor a Youth Summit and develop a Youth Council to continue to take advantage of the experiences and opinions of our youth. This will ensure that the city takes corrective and appropriate steps in meeting the needs of our children, youth and families.

## YOUTH PERSPECTIVE MEETING:

On September 23, 1993 the Task Force held a meeting with 60 youth from the community to provide us with a perspective on the following issues: **JOBS, GUNS, SCHOOL SYSTEM, AND COMMUNITY CENTERS.**

**What do they see in their world, In their own words -**

### JOBS

*Aren't enough openings. Need money now. Difficult getting a job especially if you have any kind of record. Understand that we can't make a living off a $ 4.00 job other areas of the country are creating jobs - Why isn't Wilmington. Mayor take advantage of Neighborhood Organizations (such as Minority Contractors Council) to put together programs to create jobs.*

### Guns

*Many people are shooting each other for no apparent reason. Why shoot someone over a drug dispute - Fight it out with your hands.*

*There really isn't anything you can do. Politicians on television and in our neighborhoods preaching to stop the black-on- black crime, stop the guns, drug sales, etc.... Fact is, couldn't get drugs, guns, etc.. without " their " permission - Don't think it's our responsibility - Should have input on what we're going to do - More responsibility of people putting it into our community.*

*Guns have to do with you and yourself. Nobody gets it if you don't want it - If you don't want it ( the guns you won't but it/sell it ). All about choice. Mayor really doesn't have much power over this issue - Can ban guns throughout U.S., but they're always going to come in - Begins with yourself. If your say " I don't want a gun " - Or " I want a gun for protection" - Need to think about the way you value life. Ride around Wilmington and arrest and take all the guns himself - Other than that there is nothing he can do. No win thing!*

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*... United States spends more money on project and sending stuff to other counties. What does DE need with a Baseball Stadium? If " they " wanted to stop crime, couldn't some of that money have been invested? Couldn't a factory have been built and create jobs.*

*" I'm from Southeast D.C.". - Everyone down there has a gun and it's not about the drug thing - It's because* everyone *has a gun if someone else has a gun and you don't - You're like a sucker. If you get into a fight, the person doesn't want to fight you - They're going to shoot - That's the mentality. Why? Because they're scared!*

*Because someone went out one day, got a gun and someone said - " Well, he doesn't like me, he's got a gun - I've got to get one. People just get shot nowadays for no reason - People will kill you cold blooded. Nobody is fighting anymore - Someone will just take your life. People have no problem hurting you. Many people shooting each other to get a " Rep".*

*I value my brothers life, but I value mine more - If someone is trying to hurt me, I don't want to go out - So what am I going to do?*

School System

*A lot of young people feel that school doesn't offer them anything - going to graduate from High School and still have to work at McDonalds.*

*How people deal in the streets, they take those same attitudes to school. If someone can hurt you in the streets, they can also hurt you in school.*

*Why do you want to go somewhere you don't want to be in the 1st place to learn something that isn't useful in your life. A lot of people don't go to class because they think it's boring what/how they're teaching. A lot of teachers are more concerned about discipline rather than teaching.*

*Everything that were being taught is based on guarantees of a better tomorrow. Streets show us promise.*

*System makes it hard to come up right, go to school, raise family.*
*Vo- Tech - need to have more Vo - Tech in schools - expand on create vehicle like Howard Career Center. Main school districts need to adopt vehicles such as bringing entrepreneurs into school.*

Community Centers

*Summer Rap Festival for youth ( much like summer Jazz festival).*
*Have Mayor try to have more activities directed for youth.*
*Develop Youth Council.*
*Nothing in city - Buses stop running at 7:30 p.m., no movies, no dances and no concerts.*
*Everything takes money - MONEY, TIME and COMMITMENT.*

*Spirituality: A lot of youth don't believe in God.*
*Final comment: It's all about the " Crossroad" -Discipline, Obedience, Spirituality, Determination. If someone had reached out to me at 4/5 I would have been better off as a result?*

## AS OF 1992

Written and Presented at the second meeting of the Task Force by Katrina N. Parker.
( * Facts and statistics courtesy of the Children's Defense Fund/Black Leadership Network.)

*Did I wake you*
*When I told you*
*That every 46 seconds of the school day*
*A Black child drops out of high school*
*That is to say*
*That he finally says no*
*To a system that never said yes to him*
*Or what about this*
*When I said*
*That every 104 seconds*
*A Black teenager becomes pregnant*
*Every 95 seconds*
*A Black child is born in poverty*
*Every 3 minutes*
*A Black baby is born to a teenage mother*
*Oh, and did I mention*
*That every three minutes*
*A Black infant is born*
*To a mother that never graduated from high school*
*Because every 46 seconds of the school day*
*A Black child drops out of high school.*

*Go with me here*
*104 seconds becomes a minutes: forty four*
*minus three minutes equals a minutes: sixteen*
*If a Black child is conceived*
*Every minute: forty-four seconds*
*Only to emerge months later*
*At intervals of three minutes*
*One of which will be low birth rate*
*Every six minutes*
*And possibly of late or no prenatal care*
*Every seven minutes*
*The numbers may add up*
*But I sense a triple negative*
*Something is wrong*
*But, brace yourselves.*

*What if I told you*
*That every four hours*
*Every four hours a Black child is murdered*

*Every four hours A Black young adult age 18 to 24 is murdered*
*That is the end result of eleven minutes*
*That separates each time*
*A Black child is arrested for violent crime*
*And would you be at all surprised*
*If when I quote percentages*
*8 out of 10 Black kindergartners*
*Know someone who has been murdered*

*And would you be alarmed*
*To then discover*
*That our children know more men in prison*
*Then they do in college*
*They have us thinking*
*That prison is a college*
*Which is why every 46 seconds of the school day*
*A Black child drops out of high school*
*As far as he's concerned,*
*He has already graduated*
*And his transcripts have been sent*
*To the highest courts*
*And she is unconsciously creating*
*His future colleagues*
*To Become*
*One in four*
*imprisoned*
*or murdered*
*or possibly*
*Two in five pregnant*
*and uneducated*

*When I told you all this,*
*Did I wake you?*
*And if so*
*Where do we go from here?*

# CTAC

## CHURCHES TAKE A CORNER

"REACHING OUT"

CTAC INTERGENERATIONAL MENTORING PROGRAM
Proposal Submitted June 23, 1995
by
Tyrone C. Johnson, CTAC Director

PROGRAM SUMMARY

The African-American Community has contributed much to the founding and stabilizing of this great Nation, yet we suffer immensely as a collective for a number of reasons. Some argue it to be either the scars of slavery, systematical genocide, or simple greed, hidden under the disguise of contemporary capitalism. Problems of family decadence tend to spread their tentacles so far and deep at times, it is difficult to identify the root causes of the contemporary youths anti-social behaviors.

When we observe the magnitude of our social ills that imprison the thinking and behavior of our youth, we take issue and delight in knowing our youth must become both revolutionaries and revelationaries: Revolutionaries that wage war on those attitudes and ideas which rob them of mental and physical life; and Revelationaries by understanding who they are and how they contribute to the equation, empowering them to obtain spiritual life. It is impossible for youth to achieve this on their own - they need mentors. This cannot be accomplished by believing the antiquated position of "father (or mother) knows best" will impact a life when a youth is at-risk. "Father (or mother) knows best" because father or mother lives the best they can, works with what God has provided for them and embraces virtues founded on honesty and trust.

The tentacles of destruction has effectively displaced most of our youth where we are presently out of relationship with one another. First hand observation and experience is during a period when the churches occupy street corners through the C.T.A.C. Ministry statements are made to the effect, "I am glad the church is out here tonight, we began to think this is all there is." All there is, meaning hanging out is no longer a way to reduce frustrations, and alter negative energy to positive energy. Hanging out in most cases have become a destructive way of life.

Mentors in the C.T.A.C. Intergenerational Mentoring Program will be charged with interacting with youth in an attempt to build self-esteem and to develop one-on-one relationships that will stimulate healthy growth and development. Mentors will each structure their programs based on individual style with regular direction and supervision from the program director.

Program Length

This program will be administered on a six month trial period beginning July 1, 1995.

### Youth to Benefit from Program

I.M.P. will connect twenty (20) youth with forty mentors; ten (10) pre-adjudicated youth and ten (10) post-adjudicated youth.

## MENTORS

- * Mentors will come from C.T.A.C. member churches, the recovering community, and the corporate community. I.M.P. will maintain 40 to 50 volunteer mentors at all times.
- * Each youth will be assigned two or more mentors.
- * Mentors will be required to spend a minimum of four (4) hours per week with each youth they are connected with.
- * Mentors must be approved by state requirements and cannot possess a history of crimes against children.

## TRAINING

Mentors will be required to complete Intergenerational Mentoring Program Orientation as outlined below.

- * What, Who, Why and How we mentor.
- * History on Youth - Needs and Expectations.
- * Weekly Progress Report
- * Thirty day (30) evaluation and assessment training. The Director will assess youths growth based on parental meetings with youth involvement, and mentor assessments.

## FIELD TRIPS

- * Youth and mentor trips will be planned once a month. These trips will be either educational, social or recreational in nature, but will all be exercises for building interpersonal skills and self-esteem.

## ADMINISTRATION

Program Director
- * Hours: 10 a.m. - 2 p.m., Monday - Saturday
- * Rate of Pay: Base Salary - $5,000

Administrative Assistant (1 - part-time)
- * Hours: 10 a.m. - 2:00 p.m., Monday - Friday
- * Rate of Pay: $4,000

Youth Specialist (1 - part-time)
- * Hours: 3:00 p.m. - 7:00 p.m., Monday - Friday
- * Rate of Pay: $3,000

Accountant: In-kind - Eighth Street Baptist Church

## OFFICE SPACE

- * In-kind offices and training facilities
- * 1717 West Eighth Street, Wilmington, DE 19805
- * Full kitchen facilities - youth that are in need will be fed balanced meals.

## PROPOSED PROGRAM BUDGET
(Six Month Duration for $25,000 Budget)

| | |
|---|---|
| Salaries | |
| Specialist | $3,000.00 |
| Administrative Assistant | $4,000.00 |
| Director | $5,000.00 |
| Gas Reimbursements (based on .25/mile for use of personal vehicle) | $1,000.00 |
| Copier Machine | $1,500.00 |
| Computer w/Printer | $3,000.00 |
| Food | $1,000.00 |
| Office Supplies | $ 500.00 |
| Field Trips | $4,000.00 |
| Training for Mentors | $2,000.00 |

WILLIAM ANDREWS JENKINS
104 AUGUSTINE CUT-OFF
WILMINGTON, DELAWARE 19803

7/24/95

Senator Joseph Biden

During your recent seminar on youthful violence you got a lot of advice on intervention at earlier and earlier ages. I hope you will have time to read the enclosed review of a CARNEGIE report. I believe it will tell you that HEAD START intervening at 3 years old is too late. We must intervene at a much earlier date which means, in the real world, intervention must be through parential Training —

Best Personal Regards

Bill

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# To Boost IQs, Aid Is Needed In First 3 Years

WALL STREET Journal 4/12/94

By Rochelle Sharpe
Staff Reporter of The Wall Street Journal

New research on brain development suggests that any attempt to maximize intellectual growth must begin during the first three years of life, much earlier than previously believed.

Scientists have discovered that a child's environment influences the number of brain cells the child keeps and the connections between them, according to a report issued today by the Carnegie Corp. of New York. The findings are prompting the nonprofit Carnegie foundation, as well as some child development experts, to call on Congress to expand family-leave rights, improve the training of day-care workers and extend the Head Start program for high-risk youngsters to children under age three. "By ensuring a good start in life, we have more opportunity to promote learning and prevent damage than we ever imagined," the Carnegie report says.

## The Early Brain

What new scientific research shows:

- Brain development before age one is more rapid and extensive than previously realized
- Brain development is much more vulnerable to environmental influence than suspected
- The influence of early environment on brain development is long lasting
- Environment affects the number of brain cells, connections among them and the way connections are wired
- Early stress has a negative impact on brain function

Source: Carnegie Corp. of New York

Scientists have known for decades that environment affects behavior, but only in recent years have they started to understand that the brain is literally shaped by experience. They now believe an infant's brain develops more quickly in the first year than they had expected and that sensory experiences can affect which brain cells and cell connections live or die.

Babies are born with billions of brain cells, many more than they have at age three and nearly twice as many as they have as adults, recent research shows. During the first months of life, connections between these cells, called synapses, multiply rapidly to 1,000 trillion, forming the structures that allow learning to occur.

Nature acts like a sculptor throughout childhood, scientists say, chiseling away the excessive cells and synapses so the brain can function more efficiently in adulthood. In part it decides which synapses are superfluous by determining which ones never get used. That's why people who take piano lessons before age nine find it easier to play piano as adults than those who didn't start studying the instrument until later in life, says Harry Chugani, a neuroscientist at the University of Michigan Children's Hospital.

"By enrolling a child in music lessons, you've changed the fine anatomy of the brain," Dr. Chugani says.

Animal studies show that brains develop differently in more enriched environ-

Please Turn to Page B10, Column 4

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# Is Needed in the First Three Years

Continued From Page B1

ments. When rats spend their lives before sexual maturity in cages filled with toys, they develop more synapses than rats in empty cages, says William Greenough, a neurobiologist with the Beckman Institute at the University of Illinois. These rats have 80% more capillary volume per brain cell, that is, bigger capillaries and more of them, allowing the brain to receive a better supply of nutrients and oxygen. Meanwhile, the neuroglia, which help keep the nervous system stable, show increases in metabolic rates and size in these rats.

Negative experiences can have lasting effects, scientists say, because they can alter the organization of the brain. Children raised in poor environments can display cognitive deficits by 18 months that may be irreversible, studies show. Severe stress in monkeys and rats, meanwhile, has created serious problems too, resulting in hormonal changes that cause the death of brain cells involved in learning and memory.

"I don't think I'd get paranoid about this, but I would not totally dismiss the idea that stress could have an impact," says Bruce McEwen, a neuroscientist at Rockefeller University who has studied the effect of stress on the brain.

Child experts say the new research shouldn't make parents obsessive about stimulating certain portions of their children's brains but simply make them more aware of the importance of the early years of life. Some parents think a newborn is "kind of a blob," says Edward Zigler, director of the Yale University Bush Center in Child Development and Social Policy and a founder of Head Start.

Stimulating a child properly is simple, he says, but it does take time: putting children on your lap, letting them turn pages when you read to them — normal everyday interactions. "Drop the nonsense about quality time," he says. "It's quantity time that children need."

Mr. Zigler thinks it's best for children to stay home with a parent for the first six months of life, given the child's developmental changes and family adjustments to the newborn. That's why he is a strong advocate of expanding family leave to six months, up from the current requirement that businesses with 50 or more employees allow workers to take up to 12 weeks of unpaid leave. The Carnegie Corp.'s task force on children, which Mr. Zigler serves on, also wants businesses to partially pay parents on leave, since few families can afford to lose months of income.

Children won't be damaged by high-quality day care, experts say. Toddlers who receive good day care will fare as well as if they stayed home all the time with a parent, studies show. But the problem is that good day care is hard to find.

"Child care in America is bad," says Mr. Zigler, citing the Families and Work Institute's recent report that rated only 9% of family child care and relative care arrangements as good quality. The institute concluded that quality could be improved by training day-care workers, a recommendation the Carnegie Corp. wants the government to encourage.

The brain research has far-reaching implications for underprivileged children, who could be spared lives of mental retardation with early intervention. When extremely high-risk children entered educational programs by six months of age, their incidence of mental retardation was cut 80%, says Craig Ramey, a developmental psychologist at the University of Alabama at Birmingham. By age three, these children had IQs that were 15 to 20 points higher than children of similar backgrounds who had not attended programs, Mr. Ramey says. At age 12, these children still functioned at a higher level, and at age 15 the effects were even stronger, suggesting that early educational programs can have long-lasting and cumulative effects.

Children who enter preschool at age three also show improvement, he says, but they never appear to fully overcome what they lost in the first three years.

Such evidence has persuaded Democratic Sen. Edward Kennedy of Massachusetts to seek to expand the Head Start program to include children from infancy to age three. (The current starting age is three to five.) The expansion is expected to be included in Head Start legislation scheduled to be written Wednesday in the Senate Education and Labor Committee, which Sen. Kennedy heads. There will be $120 million set aside for these new Head Starts in the next fiscal year and $300 million by fiscal 1998.

"The evidence is now so convincing that high-risk children can benefit from these interventions that we have to justify to ourselves why we wouldn't provide it," Mr. Ramey says.

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*State of Delaware*

**The Department of Services for Children, Youth and Their Families**

Division of
*Youth Rehabilitative Services* • *New Castle County Community-Based Services* • 577 - 6011

Dear Senator Biden:

On July 17, 1995 I attended part of your hearings on juvenile violence at 1825 Faulkland Rd.

I work as juvenile probation officer and involve the youth with whom I work in a variety of community-center programs that include conflict resolution counseling and training.

However, I feel that such information should be available to all youth. I am writing to suggest that conflict resolution training should be integrated into all school health-education and social-studies courses. This would begin to make conflict resolution at interpersonal, community and international levels part of mainstream thinking. . I hope this suggestion is useful and a constructive addition to your bank of ideas for legislation to reduce youth violence.

Sincerely,

Richard Holdsworth

Carvel State Office Building
820 North French Street • Wilmington, Delaware 19801

*State of Delaware*

**The Department of Services for Children, Youth and Their Families**

*Division of*
*Family Services*

## YOUTH VIOLENCE IN DELAWARE
## PUBLIC HEARING
## JULY 17, 1995

### A. Statement of the Problem

During 1994 in New Castle County alone, over 575 children were reported to have been the victims of severe physical abuse or sexual abuse. Over 150 children witnessed felony level domestic violence in their homes. These children were traumatized by the event, were frightened of returning to such violent environments, and hoped that there was someone who could help them and their families.

The majority of these children were interviewed in police stations, hospital emergency rooms, schools or other less suitable locations. Often the interview was conducted by a well meaning yet poorly trained professional. This frequently led to the need to conduct additional interviews which would further traumatize the child. For those children in need of medical examinations, busy emergency rooms and physicians without specialized training were the only resource. This contributed to poorly collected evidence, inaccurate diagnosis, and further trauma to the child.

Domestic violence is a social problem that law enforcement and child protective services has recently begun joint intervention. When a police officer responds to a domestic report they clearly identify the victim as the one that is beaten and battered. But there are other victims to this violence - the children that witness the abuse. Rarely though are these children interviewed or provided victim services. When these children are interviewed they are interviewed by professionals who may not be specially trained to deal with a child victim in a location that is not child friendly. Valuable information is lost by not properly responding to these children and the trauma continues.

Lack of coordination amongst involved agencies exists in all of these cases. Communication amongst professionals is often ineffective as there is a lack of understanding of each others roles and responsibilities. The end result of this is a child and family that does not receive needed services, whose case

*Delaware Youth and Family Center*
*1825 Faulkland Road • Wilmington, Delaware 19805*

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is not processed expeditiously, who remain at risk of further violence, and may learn that to survive they must become violent as well.

Lack of accurate, meaningful data collection and analysis exists with all of these issues. The result for Delawareans is a poorly coordinated early intervention system for family violence.

### B. Delaware's Response

In August, 1994 the Division of Family Services met with representatives from the Alfred I. duPont Institute, the Criminal Justice Council, Family Court, the Attorney General's Office, Delaware State Police, Wilmington Police and New Castle County Police to discuss how the response to child abuse could be improved. The outcome was the commitment to develop a Multidisciplinary Center in Delaware.

The Multidisciplinary Center, which is based on a nation model, will be a neutral, child friendly setting were law enforcement personnel, protective service workers, prosecutors, and medical personnel will be encouraged to operate as a team so that children and families can begin to heal sooner. In addition, data will be collected to assist in the development of a continuum of interventions to combat child abuse.

The primary goal of the Center is to reduce trauma , improve the protection of children, and develop effective prevention service.

Alfred I. duPont Institute, the Department of Justice, the Delaware State Police, New Castle County Police, Wilmington Police, and the Division of Family Services will work as a team to investigate severe physical abuse cases, all child sexual abuse cases, and cases in which children witness felony level domestic violence.

### C. Expected Results

For the first time, children will be interviewed in a neutral and safe setting. Interviews will yield more accurate information. Medical evidence will be properly identified and collected. Communication and case coordination will increase amongst team members. Service needs of the victim and family will be more quickly identified and acquired. Prosecution will also be enhanced by improving the investigation of the case. And when the overall response to child abuse occurs, the risk of further abuse and violence is reduced.

It is expected that the impact of this project will be an increases in the number of reported cases due to an increase in public awareness and renewed faith in the system. Cases though will be handled more expeditiously with better outcomes for victims. Additionally, accurate data collection will allow for effective prevention strategies and better identification of child abuse services.

## D. Future Needs

During this period in which resources are limited, coordination of services is imperative. When all the disciplines involved with a family work together, a stronger safety net is formed: the response will be more effective; treatment will be more helpful; and, risk of future violence either by the perpetrator or the victim is reduced.

Continued leadership and support from the Federal government for states in the form of legislation, grants, and technical assistance to operate in a collaborative manner is essential.

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